



CALIFORNIA STATE BOARD OF EDUCATION

SEPTEMBER 2004 AGENDA

SUBJECT

Request by New West Charter Middle School to Make Material Amendments to its Charter



Action



Information



Public Hearing

RECOMMENDATION

Approve the California Department of Education (CDE) recommendations described in the Summary of Key Issues section of this item (beginning on page 2).

SUMMARY OF PREVIOUS STATE BOARD OF EDUCATION DISCUSSION AND ACTION

The State Board of Education (SBE) originally approved the charter petition for New West in December 2001, after it was denied by the Los Angeles Unified School District (LAUSD). The school had difficulties securing a facility and working out SELPA arrangements and was therefore delayed in opening for one year. New West opened in the fall of 2003 with approximately 274 sixth through eighth grade students. It came to CDE's attention in late March 2004 that the New West governing board had recently passed two resolutions making material changes to the charter without consultation with either CDE or the SBE. CDE staff directed New West not to implement any of those changes until the SBE had reviewed and approved such changes. New West has submitted a revised charter petition (Attachment 1) proposing to make numerous technical and substantive changes to the school's operations.

In addition to material changes being made to the charter without SBE approval, a number of allegations of fiscal and governing board selection irregularities were brought to the attention of CDE staff. As a result, CDE requested information and documentation regarding these issues. New West has recently submitted the requested information which has generated additional concerns and requests for information.

SUMMARY OF KEY ISSUES

Charter Amendments

New West proposes to make the following changes to its charter. A summary of CDE staff recommendations follows each proposed change:

1. Add a high school component to the program in 2005 – **Recommend Denial**
2. Change the governance council structure – **Recommend Partial Approval**
3. Institute admission requirements for new applicants to the school – **Recommend Denial**
4. Add new categories of “Founders” for purposes of admissions preference – **Recommend Denial**
5. Change the name of the school to New West Charter School – **Recommend Approval**
6. Revise the charter to be consistent with proposed changes in 1-5 above, update the charter to reflect current location, revise future to present tense, and make other numerous minor edits – **Recommend Partial Approval**

CDE staff has reviewed the proposed changes to the charter and recommends the following action:

1. Addition of a high school component in 2005 – **RECOMMEND DENIAL**

New West proposes to either open a high school in 2005 that would eventually serve 800 students or to expand the middle school to an additional site. Language is interjected throughout the proposed amended charter that references the high school. However, there is no detail regarding the new high school, such as a description of the educational program, location of the school, etc. The charter proposes instead to address the details by building in the same conditions of operation that were approved by the SBE for the original school. These conditions would have to be met over the course of the next year for either the high school or an expanded middle school site.

CDE staff recommends denial of the addition of a high school component and that all language related to a high school expansion be deleted from the proposed charter. This proposal appears to be premature. New West has just completed its first year of operation as a middle school, and CDE has recently reviewed the first year's STAR academic performance data. New West significantly outperformed the district in all subjects, but Algebra I and had more students scoring at proficient and above than the statewide average in all subjects but mathematics. While the test scores were for the most part very good, we don't believe one year is sufficient to judge the school's likelihood of success at operating a high school. In addition, there appear to be

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operational issues at the school as evidenced by the numerous complaints about the governance of the school, which CDE staff is presently reviewing. The New West charter will be up for renewal at the end of the 2005 school year. Assuming governance issues have been resolved and academic performance continues to improve, the school might want to propose the addition of grades 9-12 as part of its petition for renewal. Another year of operation as a middle school would provide the SBE with better information on the likelihood that New West could carry out a successful high school program.

In addition, the expansion to a high school appears to be driven as much by school site considerations as program considerations. New West has identified a proposed site for lease in the Sunset area of Los Angeles, which in their view would make an ideal site for a school. By New West's own admission, they are not sure whether to expand to a high school or create a second campus for the middle school. We have a number of concerns with the proposed school site: (1) the site is a long distance from the current middle school site, and it is probable that the composition of the student body of the school would change if the site is located in the Pacific Palisades area; (2) the building would need extensive renovation (estimated at \$650-750,000) that would have to be funded from donations; and (3) the proposed site is on an extremely busy section of the Pacific Coast Highway making it dangerous to enter and exit the school. This entire proposal seems very premature and needs much more specificity before CDE staff would recommend approval of the site for either expansion to a high school or for a new site for the middle school.

2. Changes to the Governance Council structure – RECOMMEND PARTIAL APPROVAL

New West proposes to add a 15th member to the Governance Council that would be chosen from among standing and special committee representatives of the school. CDE staff has no problem with this proposal.

The amended charter also proposes to make teacher and other staff positions on the Governance Council voting members of the council. Currently, the Governance Council has 9 voting members and 5 non-voting members. CDE staff recommends denial of this amendment consistent with the SBE requirement for all SBE charter schools that employees of the school who sit on the governing boards be non-voting members to avoid conflict of interest issues.

In addition, CDE staff recommends that the Governance Council structure be changed to eliminate "Founders" for purposes of the membership of the council and that additional parent representatives or community members be added to the council instead. The current voting members of the governing board consist of 3 parents and 3 founders, with 2 vacant community representative positions. The purpose served by dividing the parents constituency into founders and non-founders is not clear. A certain percentage of "Founders" are given preferential admissions status because of the work, time and money they donated to see that the school

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opened. However, there is no reason to give founders any special status on a governing board, and in the case of New West, this has appeared to have resulted in a divided governing body. Consistent with the recommendation to eliminate “Founders” on the governing board, all reference to “Founders” in the governance section of the charter and the by-laws of the school should be deleted.

Further, CDE staff recommends that elections for the Governance Council for the upcoming year be conducted by the Executive Director of the school rather than by individual members of the governing board in an open and observed process. It appears that the election process (including organizing the election, compiling ballots and tallying them) for the first members to the governing board was conducted by one of the founders who was also running for one of the founder slots. In addition, the election process for founders was conducted differently than it was for parent representatives.

Finally, CDE recommends the SBE appoint a representative to the New West Governance Council for the next year as it is entitled to do so under law and the charter. CDE staff has received many complaints about the governing board operating in a dysfunctional manner. These complaints, in conjunction with others CDE staff is reviewing and the governing board's history of making unilateral material amendments to the charter, lead CDE staff to strongly recommend the SBE appoint a representative to the Governance Council to help maintain the focus of the council on the educational program of the school.

3. Institute admission requirements for new students – RECOMMEND DENIAL

New West proposes to require all new students who desire admission to the school to achieve a score of 300 or better on the California Standards Test in English/Language Arts and Mathematics. The admissions criteria also state that New West “occasionally requests an interview to assess an applicant’s ability to handle New West’s curriculum.” The CDE Legal Office initially reviewed the proposed admission requirements some months ago and informally indicated that they did not appear to be discriminatory. On that basis, New West put the criteria on the school’s website as part of the application process. However, we have since reviewed the school’s charter, which expressly stated that there “shall be no admission criteria, testing, or other evaluation required of any applicant.” Further, the school is receiving federal funding in the form of a Public Charter Schools Grant Program (PCSGP) and the Office of Civil Rights has indicated a school that receives PCSGP funding must use a lottery to admit students if the school is oversubscribed (which New West is in some grade levels).

While admission criteria are not illegal, they make more sense for a school with a specific focus, such as performing arts. In addition, these criteria would be taking into consideration student performance data that is not current for the individual student since STAR test data does not come out until middle or late August. In addition, the discretionary interview to assess an applicant’s ability to perform at New

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West is arbitrary and without any indication of what factors would lead to an interview or who would assess interview results. Moreover, admission criteria are in direct opposition to the intent of the charter school law that requires charter schools to admit all students who wish to attend the school. CDE staff believes that it is an undesirable precedent to allow SBE-approved charter schools to establish criteria that would screen out academically lower-achieving students, when those are precisely the students that are to be given priority under the law when considering whether to grant a charter.

4. Add new category of “Founders” for purposes of admission preferences – **RECOMMEND DENIAL**

The SBE, in its original approval of New West’s charter petition, allowed the school to grant preferential treatment for admissions purposes to a certain percentage of people who had volunteered their time and money to help open the school. These are the “Founders.” The charter allows for no more than 10% of total enrollment to be “Founders” children during the school’s first four years of operation, with the percentage declining by 1% each year through 2010-11.

New West proposes to make two changes to the charter: (1) grant Founder status to individuals who worked to help open the school during the extra year New West took to open, and (2) create a new class of “Founders” that would work toward opening the proposed high school and who would be given preferential admissions treatment for both the middle school and high school.

CDE staff recommends that neither of New West’s requests for additional “Founders” be approved. The original cutoff date by which “Founders” needed to have completed service hours anticipated New West opening in 2002. The school delayed opening for one year due to difficulty in securing facilities and a special education agreement with a SELPA. During that additional year, individuals continued to donate time and money to the school, and new people were granted “Founder” status. Because the creation of “Founder” status has been an issue in the governance of the school and additional individuals were promised “Founder” status unilaterally, we recommend this request be denied. In addition, CDE staff continues to believe that the total number of Founder’s children should remain at no more than 10% of total enrollment over the next four years as the original charter states.

CDE staff recommends denial of New West’s request to create a new class of “Founder” for individuals working toward opening a high school. This is in keeping with our recommendation that New West not be approved to open a high school at this time.

5. Change the name of the school – **RECOMMEND APPROVAL**

SUMMARY OF KEY ISSUES

New West proposes to change the name of the school from the New West Charter Middle School to New West Charter School. CDE staff has no problem with this proposal.

6. Make miscellaneous changes to the charter – RECOMMEND PARTIAL APPROVAL

New West proposes to make numerous changes to the charter to conform to the proposed amendments described in 1-5 above, to reflect the fact that the school is open now, and to make other minor edits. With the following exceptions, CDE staff recommends approval of the proposed changes to the charter:

- Changes that do not conform to State Board action on 1-5.
- Page 17 – Limits on the Charter – the first paragraph should remain in the charter and the second paragraph should be deleted.
- Page 45 – Accountability for the Educational Program – the last sentence should be deleted. The SBE, not the Governance Council has the final approval over material revisions to the education program.
- Page 55 – Membership – language related to Permit With Transfer (PWT) parents should not be deleted in case LAUSD decides in the future to work with New West to transfer some of the district's PWT students to New West.
- Page 57 – the language that was deleted stating that the Advisory Board is subject to laws governing open meetings; public records and confidentiality should be added back.
- Page 70 – School Capacity – the strike out in the first sentence should be removed and language referring to “any other conditions of approval required by the SBE” should remain in the charter.
- Page 72 – Admission and Enrollment Preferences – the third bullet should remain as it was originally and the fourth bullet creating a new admission preference should be deleted.
- Page 96 – Renewal of the Charter – the charter states that New West will submit a request to renew the charter 4 months prior to the charter expiration date. CDE staff suggests that date be amended to require the renewal to be submitted 6 months before the expiration date rather than 4 months because both the Advisory Commission on Charter Schools and the SBE must review the renewal request and neither body meets on a monthly basis.

Finally, we note that pages 13, 34, and 35 reference the creation of an International Studies program and the application for a \$750,000 grant from a foundation for the program; however, there is no indication whether this is a major change in emphasis of the educational program and, therefore, a material change to the charter. References to the International Studies program should be deleted in the charter until New West submits specific information on the program and proposed charter amendments aligned with the new program for approval by the SBE.

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Allegations of Financial and Governing Board Irregularities

Based on information CDE staff had received from numerous individuals at New West regarding financial and governing board election irregularities, we asked New West to provide information on the following issues:

- A loan from the Governance Council Chairman to New West
- The Affinity Bank account used for fundraising money
- Irregularities in the selection of governance council members

CDE staff in the Audits and Investigations Office has done a preliminary review of the information submitted by New West and has identified a number of concerns that merit a request for further documentation. Concerns raised by Audits and Investigations and Charter School Division staff include:

- The original loan is only signed by the governing board chairman, who is also the payee on the line of credit.
- The revised loan does not appear to have been approved by the Governance Council. Resolution No. 2004-18 only directs New West's Director/Principal to work out a schedule of repayments. Further, it is unclear whether the Governance Council chairman participated in the discussion or voted on this resolution. The resolution indicates no abstentions.
- The work order provided for the construction company (Golden Star Construction) that did the renovations to the school facility to open the school was not signed by anyone, calls to the phone number resulted in a voicemail recording with no company or individual's name, and a telephone information search revealed no telephone number for the business name.
- Many of the governing board resolutions contain hand written alterations that were not initialed or dated. No signed updated documents have been provided.
- Significant amounts of money were transferred from the school's bank accounts on several occasions with no documentation to support the transfers, including wire transfers of \$170,000 and checks written to individuals. There was no second signature on any of the checks.
- The governing board chair was the sole signer on all checks regardless of amount, although the Board Resolution No. 2004-23 and the Business Management Plans and Systems – Overview require two signatures for any check over \$2,500.
- The governing board chair was responsible for organizing the governing board member election, compiling the ballots, and tallying them at the same time he was running as a candidate. In addition, the election for "parent" representatives to the board was treated in a different manner

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than the election for “founders.”

The Audits and Investigations Office has recommended that additional information be provided by New West, including:

- Supporting invoices for goods or services in excess of \$5,000 including wire transfers
- Subcontract agreements, if any, for purchases in amounts of \$5,000 or more
- Any competitive bids for construction
- A signed agreement/work order with Golden Star Construction
- Updated and signed governing board resolutions
- Approved governing board meeting minutes for the resolutions submitted in response to the documentation request
- Signed loan documents from Pacific Western Bank

Until CDE staff has an opportunity to review the additional information, which will be requested by letter to the Executive Director of New West, we have no recommendations at this time.

FISCAL ANALYSIS (AS APPROPRIATE)

There could be a minor fiscal impact to CDE and the SBE if the charter changes are approved. CDE would be responsible for ensuring that New West meets conditions of approval that would likely be adopted by the SBE if it approves the charter petition as proposed. CDE would continue to be responsible for the same level of oversight as currently provided. The school would incur greater costs for adding a 9-12 component to the program; however, the school would also receive increased funding as a result in an increase in ADA.

ATTACHMENT(S)

Attachment 1: [Draft of May 14, 2004 Amended Charter for New West Charter School \(91 pages\)](#)

Draft of May 14, 2004

Amended Charter

for

New West Charter School

Charter Number 431

July 1, 2003 - June 30, 2006

Approved by Action of the

California State Board of Education

July 14, 2004

under the

Charter Schools Act of 1992

California Education Code 47600 et seq.

**Original Charter Petition approved by the
State Board of Education on December 5, 2001
(see final state-approved charter document of January 15, 2002)**

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Charter for New West Charter School

July 1, 2003 - June 30, 2006

Mission Statement

The mission of New West Charter School is to provide an academically rigorous, highly individualized education for 21st Century middle and high school students (grades 6-12). In the decades to come, personal success requires increasingly high levels of competency, independence, and self-reliance in an ever changing, ever more complex society, no matter whether individuals choose to manage their own businesses, sell their own services, work within public or private organizations, or raise families whose children face the same challenges. New West meets its duty to produce competent, independent, self-reliant students by creating a learning environment that promotes academic excellence and strong character development as the antecedents for continued success in high school and college programs. New West's vision includes commitment to:

- A rigorous core curriculum that provides a strong foundation in reading and language arts, mathematics, science, and history and social science, supplemented with diverse enrichment opportunities in world languages, visual and performing arts, physical education and health, and information technology;
- A robust program of community service and extracurricular activities designed to have maximum synergy with the academic program;
- Clearly defined and closely monitored performance standards that assure progress toward the school's educational goals in full compliance with all applicable state standards;
- A cooperative community of parents and educators that shares responsibility for the school's governance, operation, and educational program in the best interests of the school's students;
- Small school size (200 students or less per grade level) with classes as small as resources permit (25 students or less per class); and
- A personal learning environment that both encourages and challenges each student according to his or her ability through differentiated instruction within an integrated curriculum.

New West serves students of diverse cultural, ethnic, and socioeconomic backgrounds from throughout greater Los Angeles whose families share the common goal of creating a strong, unified educational milieu for their children. New West's educational culture fosters high academic achievement through high expectations, genuine accountability, and individualized attention both at home and in school. This home/school collaboration enables students to become competent, self-motivated, lifelong learners who have a clear sense of their individual worth and their responsibilities to society.

AMENDED CHARTER PETITION

The original Charter Petition for New West Charter School (New West), under the name of New West Charter Middle School, was unanimously approved by the California State Board of

Education (SBE) on December 5, 2001, under the Charter Schools Act of 1992 [Education Code 47600 et seq.] (sections of the California Education Code are referenced in brackets). New West opened on September 7, 2003, with about 275 students enrolled in grades 6-8 at its middle school campus on Pico Boulevard in West Los Angeles. This Amended Charter Petition of May 14, 2004, is being submitted by New West's Governance Council to the SBE through the California Department of Education (CDE). This amended charter provides updated information about the school as it is currently operating (e.g., school site and school size). Many changes are simple editorial revisions in language that reflect the school as actually being open rather the prospect of it opening sometime in the future (e.g., change "the school will be . . ." to "the school is . . ."). More important are some material changes to the original charter document that require approval by the SBE (e.g., including high school grades and/or adding an additional site for the proposed high school or enlarged middle school, changes to the Governance Council, extension of founder status to volunteers working to open the high school, and changes in criteria for admission based on minimum grade level proficiency standards set by the SBE). The amended charter requires New West to submit detailed educational, business, and facility plans for the proposed high school and/or additional school site before enrolling students in grades 9-12 and/or commencing instruction at a new site. New West's educational program, with respect to philosophy, goals, and implementation of the school's curriculum, remains unchanged. The revisions included in this Amended Charter Petition were approved by consensus of the New West Governance Council on May 10, 2004, for submission to the SBE.

ENDORSEMENTS OF THE ORIGINAL CHARTER PETITION

The original Charter Petition submitted to the Los Angeles Unified School District (LAUSD) in 2000 and later approved by the SBE in 2001 was endorsed by:

- Four hundred ten (410) parents who were meaningfully interested in having their children attend New West. This number of signatures far exceeded the legal requirement for parent signatures [Education Code 47605(a)(1)(A)].
- Five (5) credentialed teachers who were meaningfully interested in teaching at New West. This number of signatures met the legal requirement for teacher signatures [Education Code 47605(a)(1)(B)].

The signatories to the original charter petition authorized the three Founders listed below to negotiate any amendments to the charter document necessary to secure approval by the SBE:

- David Eagle, Parent and Chair, Executive Board of the Organizing Committee.
- Dr. Gene Albrecht, Parent and Co-Chair, Executive Board of the Organizing Committee.
- Judith Bronowski, Parent and Co-Chair, Executive Board of the Organizing Committee.

DESCRIPTION OF THE SCHOOL

I. History

Parents in the Brentwood-Pacific Palisades area of Los Angeles have been at the forefront of charter school reform since 1993. The combined efforts of parents and educators resulted in the creation of the Palisades Charter Schools Complex in 1995 – a group of neighborhood schools (5 elementary, 1 middle, and 2 high schools) in the LAUSD. However, these schools were so-called "Dependent Charters" on which the LAUSD places many financial, management, and curricular restrictions on their operations, governance, and educational programs. Many parents, especially those with children in the elementary schools, felt these constraints reduced their charter schools to little more than regular public schools within the LAUSD. Local parents did not see their local

charter schools taking full advantage of the opportunity for innovation and reform that is the spirit of the charter schools movement. Of particular concern was the perception that Paul Revere Charter Middle School was not fulfilling its obligation to stimulate, encourage, and embrace the involvement of parents as valued participants and partners in the school's operation and educational process. As parents seeking excellence in public education gain experience in all the mandates of the charter school movement — shared school governance, educational program design, research into innovative ideas, and local accountability for educational outcomes — they felt that only a direct funded (“fiscally independent”) charter middle school could take advantage of the freedom and flexibility granted by California’s Charter Schools Act.

The idea of starting a new charter school, as an alternative to the existing middle school, came from a small, ad hoc group of very involved parents led by David Eagle and Judith Bronowski. These parents were interested in continuing, at the middle school level, the advances in educational quality that rejuvenated the neighborhood elementary schools. The ad hoc committee formulated a survey to determine the level of community interest in having a choice of public middle schools, and what characteristics should distinguish that new charter middle school. The consensus among parents was that, for their children, they wanted a smaller, less overwhelming school (600 versus 2200 students), with smaller class size (25 students, or less, per classroom). Just as important was a rigorous and challenging curriculum, individualized attention that addresses the needs of all children, a real gifted/talented program, a service component to build students’ sense of community and societal responsibility, and opportunity and encouragement for parental involvement and shared stakeholder governance.

Some 800 surveys were distributed to the parents of 3rd, 4th, and 5th grade students at 4 of the 5 elementary schools within the Palisades Charter Complex. People expressed a sincere interest in having a choice in middle school opportunities by returning more than 350 surveys. Several “town hall” meetings were held to discuss the possibilities and prospects for a new middle school. From those meetings came the New West Charter School Development Group that grew to more than 160 people, representing diverse cultural and socio-economical backgrounds, who volunteered to serve on committees to design New West from the ground up. Planning for the new school was carried forward through an Organizing Committee with an Executive Board chaired by David Eagle that oversaw more than a dozen committees staffed by volunteer members of the Development Group. A \$35,000 Charter School Planning Grant from the California Department of Education (March 2000) and a \$10,000 Walton Family Foundation Charter School Planning Grant (July 2000) were awarded to New West to support the initial costs of school development. New West was incorporated as a public nonprofit educational entity in 2000.

The charter petition to establish New West as a charter middle school was denied by the Board of Education of the Los Angeles Unified School District (LAUSD) on August 8, 2000. The Los Angeles County Board of Education (Los Angeles County Office of Education) subsequently denied a revised petition on January 9, 2001. New West then submitted its charter petition to the SBE through the CDE pursuant to Education Code Section 47605(j)(1). On June 7, 2001, the SBE passed a motion indicating its intent to approve the Charter in September or October 2001 provided certain conditions were met having to do with addressing the concerns of the SBE/CDE, and working collaboratively with the LAUSD to see if the school district wished to reconsider its earlier denial. On November 26, 2001, the LAUSD indicated that it was not interested in reconsidering the New West charter petition. On December 5, 2001, the SBE unanimously approved the New West charter petition and assigned the school charter number 431, subject to the conditions specified in the original chart (see *General Provisions of the Charter. Section III. Conditions of Approval* in the final state-approved charter document of January 15, 2002).

Efforts to open New West in September 2002 were thwarted by difficulty in securing an appropriate site for the middle school campus and prolonged negotiations with LAUSD regarding SELPA membership required to meet New West’s special education needs. SELPA membership in

LAUSD's SELPA was finally worked out by May 1, 2003. Later that month, with approval from the CDE, New West signed a long-term lease on a former furniture auction house on Pico Boulevard in West Los Angeles. The architectural design and structural engineering work for renovating the building were donated pro bono by architect Jennifer Wen and structural engineer Jeff Guh. Jennifer Wen and David Eagle volunteered their time and effort as project managers during an expedited construction schedule that completely renovated the inside of the building in three months over the summer of 2003. At the same time, Dr. Donald Gill, New West's Founding Director/Principal worked with founding parents to hire teachers and staff and make other arrangements for opening the school. The middle school site was dedicated on September 7, 2004, and greeted about 275 students the next day in grades 6-8 for the commencement of classes. **II.**

Facilities

New West's middle school campus is located at 11625 Pico Boulevard, which is centrally located on the Westside of Los Angeles. The campus is in a mixed commercial area with easy accessibility near major thoroughfares and a few blocks from the intersection of the I-10 and I-405 freeways. The school is a few blocks south of Stoner Avenue Park and a mile north of Mar Vista Park, two city recreational centers that New West is planning to use for its PE program and athletic activities. It is a few blocks from Richland Avenue Elementary School, a LAUSD campus with which New West is building a collaborative relationship in terms of tutoring elementary students and use of garden space for science projects and after school programs.

The building that houses New West, which was built in 1947, is a self-contained structure with two floors. Floor space includes about 10,000 square feet on the first floor and 5,000 square feet on the second floor. After a complete redesign and renovation of its interior, the building is now configured for optimum use as a modern school complete with 11 classrooms, administrative offices, library space, art area, new student and adult restrooms, substantive open space for student interactions, conference area, and faculty and parent volunteer work areas. The substantial capital improvements include full ADA access (a lift provides second floor access), wireless internet access, video security system, fire/life safety upgrades, energy saving lighting, and new, efficient HVAC equipment. With the exception of new student desks and lockers, almost all interior furnishing were obtained as donated excess inventory from local businesses and law firms. The smaller of the two parking lots is used primarily as a lunch area, while the larger parking lot is used for off-street drop-off in the morning, pick-up in the afternoon, and PE and recess during the rest of the day. Parking is readily available on the streets surrounding the school. Considering that New West's goal of class sizes no greater than 25 students/room, the site accommodates about 275 students total.

III. Staff

The number and kinds of staff employed at New West varies depending on the level of funding received by the school from different sources and the programs such funding supports. Currently, for the 2003-04 school year, New West's middle school employees include (full-time unless noted):

- Director/Principal.
- Facilities manager.
- Administrative assistant/office manager.
- Mediation and Discipline Advisor (part-time).
- Two (2) office assistants.
- Ten (10) credentialed classroom teachers .
- Two (2) credentialed special education resources teachers.
- Three non-credentialed elective teachers (part-time: Spanish, drama, and movies).
- Three (3) non-credentialed physical education teachers (part-time).

- Two (2) (9 instructional aides (part-time).
- Plant manager (part-time).

New West contracts with outside companies for the following services:

- Business affairs (accounting, payroll, and other financial services).
- Janitorial and maintenance services.
- After school program.
- Special education services outside the expertise of the school's resource teachers.
- Legal affairs.

The number of employees in future years will depend on the availability of funds, numbers of students, and programmatic needs. The services of parents and community volunteers are intended to provide enrichment programs, extracurricular activities, and at least one adult volunteer in each classroom for at least part of each day. Parents volunteer substantial time and expertise to assist in other aspects of the school's day-to-day and long-term operation (e.g., room parents, traffic control, lunch monitors, clerical help, newsletter, grant writing, admissions).

IV. Grants

New West successfully competed for grants and other funding to cover initial planning and start-up costs for the new school. Current and pending grants and loans include:

- Planning Phase Charter School Start-Up Grant, California Department of Education: \$35,000, awarded March 2000.
- Charter School Planning Grant, Walton Family Foundation, Inc.: \$10,000, awarded July 2000.
- Implementation Grant, California Department of Education: \$400,000, awarded in June 2003.
- Personal loan from David Eagle for start-up costs: \$275,000 in June 2003.
- Charter School Revolving Loan Fund, California Department of Education: \$250,000, awarded in June 2003.
- Friends of New West Charter School Greening and Beautification Project, Neighborhood Matching Fund, City of Los Angeles: \$10,000, awarded May 2004.
- Grant for International Studies Program, S. Mark Taper Foundation, Los Angeles: \$750,000 (invited grant submitted April 2004 for December 2004 funding).

GENERAL PROVISIONS OF THE CHARTER

New West is applying to amend its Charter to fulfill the intent of the California Legislature in establishing the Charter Schools Act [Education Code 47601]. Charter schools are meant by law to provide opportunities for teachers, parents, pupils, and community members to maintain a school that operates independently from the existing school district structure. This independence allows New West to accomplish the following as a charter school [Education Code 47601(a)-(g)]:

- Maintain and further improve a high level of student learning.
- Increase learning opportunities for all students, with special emphasis on expanded learning experiences for the entire diversity of students ranging from those who are identified as academically low achieving to those who are identified as highly gifted.
- Encourage the use of different, innovative, and enhanced teaching methods.

- Create new professional opportunities for teachers, including the opportunity to be responsible for the learning program.
- Provide parents with opportunities to be involved in their children's education.
- Be accountable for meeting measurable pupil outcomes and using performance-based accountability systems to measure student success.
- Provide vigorous competition within the public school system that stimulates improvements in all public schools.

I. Name of the School

The official name of the school shall be New West Charter School. The school's Governance Council shall have the right to change the school's name at any time for any reason. New West shall inform the SBE when, and if, the school changes its name.

II. Chartering Authority and Supervisory Oversight

The State Board of Education (SBE) shall be the chartering authority for New West. With regard to supervisory oversight, the SBE shall have the right to designate an Oversight Agent to ensure the fundamental, continuing interests of the SBE with regard to New West implementing the Charter as approved by the SBE, obeying all laws applicable to charter schools, operating prudently, and providing a sound educational program. It is anticipated that the Oversight Agent will be staff within the CDE operating under the direction of the State Superintendent of Public Instruction, but the SBE may designate another party of its choice as the Oversight Agent. The Oversight Agent shall be the principal point of contact for New West regarding the implementation of the Charter, operation of the school and its educational program, reporting requirements, oversight responsibilities, and other matters that may arise. New West shall work cooperatively with the Oversight Agent to facilitate the SBE in meeting its legal obligations for oversight and supervision as the school's chartering authority. The meaning of "supervisory oversight," as used in Section 47613.7 of the Education Code, shall be determined by the SBE in accordance with the Charter Schools Act (e.g., see the SBE directive titled *State Board of Education-Approved Charter Schools: Expectations for Oversight and Supervision and Duties of Charter School and Oversight Agent*). New West shall pay for the costs of supervisory oversight to the extent required by the Charter Schools Act (see *Provisions Related to Charter School Funding. VI. Oversight Costs*)¹.

III. Conditions of Approval for Adding High School Grades and/or New School Site

New West currently operates as a middle school on a small campus that can accommodate about 275 students in grades 6-8. Beginning in September 2005, New West anticipates expanding its middle school to the 600 students allowed by the charter and/or adding high school grades (9-12) for a maximum of 800 students in high school. These expansion efforts will require additional school sites to accommodate the enlarged middle school and/or proposed high school. New West shall meet the same conditions for enlarging its middle school, starting its high school, and/or opening new school sites for the middle and high schools as were imposed by the SBE regarding the opening of New West as a middle school (see final state-approved charter document of January 15, 2002). The following requirements shall be satisfied by New West (dates refer to the year New West intends to commence instruction at a site in September of that year):

¹ References to the "SBE" in the Charter refer to, as may be appropriate in different circumstances, the State Board of Education, the Executive Director of the SBE, the California Department of Education, the SBE's designated Oversight Agent, or any of these entities acting jointly.

1. Not later than July 1, New West shall submit to the SBE documentation of adequate insurance coverage for the enlarged middle school, proposed high school, and/or any new school site, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings.
2. Not later than July 1, New West shall either (a) accept an agreement with the SBE (administered through the CDE) to be the direct oversight entity for the enlarged middle school, proposed high school, and/or any new school site, specifying the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities; or (b) enter into an appropriate agreement between New West, the SBE (as represented by its Executive Director), and an oversight entity pursuant to Education Code Section 47605(k)(1) regarding the scope of oversight and reporting activities, including, but not limited to, adequacy and safety of facilities.
3. Not later than May 15, New West shall submit to the SBE either written verification from a special education local plan area (SELPA) that the enlarged middle school, proposed high school, and/or any new school site are (or will be at the time students are being served) participating in the SELPA, or an agreement between a SELPA and New West that describes the roles and responsibilities of each party and that explicitly states that the SELPA considers New West's students to be students of the school district in which the school is physically located for purposes of special education programs and services (which is the equivalent of participation in the SELPA).
4. Not later than May 15, New West shall submit to the SBE a high school educational plan, including but not limited to, a description of the curriculum and identification of the basic instructional materials to be used, plans for professional development of instructional personnel to deliver the curriculum and use the instructional materials, identification of specific assessments that will be used in addition to the results of the Standardized Testing and Reporting (STAR) program in evaluating student progress, and a budget which clearly identifies the core program from enrichment activities and reflects only those loans, grants, and lines of credit (if any) that have been secured by New West.
5. Not later than June 1, West shall submit for review and approval by the Executive Director of the SBE in consultation with the State Superintendent of Public Instruction, the specific means to be used for high school student attendance accounting and reporting.
6. Not later than May 1, shall present to the SBE a lease agreement (or comparable document) identifying any new school site for at least the first year of the school's operation and evidence that the facility is adequate for the school's needs as an enlarged middle school or proposed high school.
7. Not less than 30 days prior to the opening of any new school site for an enlarged middle school or proposed high school, New West shall present evidence to the SBE that the school's new facilities been cleared for student occupancy by all appropriate local authorities. For good cause, the Executive Director of the SBE may reduce this requirement to fewer than 30 days, but may not reduce the requirement to fewer than 10 days.
8. Not later than June 1, New West shall present to the SBE a final charter that includes all provisions and/or modifications of provisions that reflect and otherwise address all concerns identified by CDE staff regarding an enlarged middle school, a proposed high school, and/or any new school site.
9. In the final charter presented pursuant to condition (8), New West shall resolve all provisions related to legal issues in keeping with the direction of the SBE's Chief Counsel.

It is the intent of the SBE that satisfaction of these requirements shall be determined by the SBE's Executive Director in consultation with the State Superintendent of Public Instruction (as represented by appropriate staff of the CDE). In each case that the requirements specify an action to be taken by the petitioners, it is the intent of the SBE that the Executive Director's review and

approval or disapproval will be completed within 15 days of the action being taken and appropriately reported by the petitioners. If the Executive Director determines that a requirement has not been satisfied, then New West shall not be authorized to commence instruction of high school students (grades 9-12) and/or occupy a new school site for either the enlarged middle school or proposed high school.

If the New West high school is not operational by September 30, 2006, the conditional approval of the amended charter petition by the SBE to offer instruction for grades 9-12 and/or occupy a new school site for the high school is terminated.

The SBE recognizes that the LAUSD is subject to consent decrees affecting the operation of its schools (including, but not limited to, consent decrees pertaining to the cases known as Chanda Smith, Crawford, and Rodriguez). If the New West site(s) is (are) physically located within the LAUSD, then New West shall comply with these consent decrees if and to the extent the decrees are determined by the court or other competent authority to be applicable to the school.

IV. Role of the Charter

This Charter constitutes a binding contract between New West and the SBE. The charter document is meant to be a performance-based agreement covering those terms and conditions that are required by law as well as those aspects of the relationship between the school and the SBE that require clarification. New West shall first consult with the SBE about matters that may arise that are not covered by the Charter. Any dispute between New West and the SBE about the terms and conditions of the Charter, the meaning of the Charter Schools Act, or the applicability of local, state, and federal laws to charter schools shall be settled according to the dispute resolution process described under *General Provisions of the Charter: Section XIII.N.2. Disputes between the School and the Chartering Authority*.

V. Limits on the Charter

New West shall be permitted to offer instruction to students in grades 6-12 at several school sites in the West Los Angeles area as may be necessary to accommodate the maximum number of students specified in *General Conditions of the Charter: Section VII. Limits on School Size*. New West shall not operate an adult school, children's center, or independent study programs.

VI. Term of the Charter

The term of the Charter shall begin on July 1, 2003, and shall expire on June 30, 2006.

VII. Limits on School Size

New West shall limit school size to 600 students total for middle school (grades 6-8) and 800 students total for high school (grades 9-12). The actual number of enrolled students in any school year will depend on the availability of appropriate school sites for the middle and high school campuses.

VIII. Legal Status of the School

The school shall operate as a California Nonprofit Public Benefit Corporation, known as the New West Charter School, formed and organized pursuant to the Nonprofit Public Benefit Corporation Law (Part 2 commencing with Section 5110 of Division 2 of Title 1 of the Corporations Code), as allowed by the Charter Schools Act [Education Code 47604(a)]. The SBE shall not be liable for the debts or obligations of New West [Education Code 47604(c)].

The Governance Council of New West shall also serve as the corporation's Board of Directors, which shall include a single, representative appointed by the SBE [Education Code 47604(b) and 41365(f)(2)] (see *General Provisions of the Charter: Section XIII.D.1. Governance Council*). The SBE shall be notified of any changes in the membership of the Governance Council.

The school shall operate according to the Corporate Bylaws of New West Charter School, which shall be consistent with the terms of the Charter, the Charter Schools Act, and all other applicable laws. In any instance in which the provisions of the Corporate Bylaws are in conflict with provisions of the Charter, the provisions of the Charter shall control. The SBE shall be provided a copy of New West's Corporate Bylaws and the SBE shall be informed of any changes made to the Corporate Bylaws by the Governance Council.

New West, as a charter school, is part of the Public School System, as defined in Article IX of the California Constitution [Education Code 47615(a)]. New West, as a charter school, is under the jurisdiction of the Public School System and the exclusive control of the officers of the public schools, as provided in the Charter Schools Act [Education Code 47615(b)].

IX. School Site and Educational Facilities

New West shall work collaboratively with the SBE in exercising its right as a charter school to rent, lease, or purchase a school site(s) of its choosing for conducting its educational operations. In choosing a school site, New West shall consider the nature of the neighborhood and neighboring properties with regard to appropriateness for educational activities. New West shall have the right to construct, reconstruct, demolish, remodel, alter, or add to buildings or other facilities at its school site(s) in any way, provided that the school conforms to all city, county, and state building codes, health laws, safety regulations, and educational standards applicable to charter school facilities. New West shall allow the SBE to inspect its campus(es) and any of its school buildings or other facilities at any time.

New West shall keep the SBE informed, on a timely basis, with regard to site selection for an enlarged middle school, proposed high school, and/or any new construction or remodeling of existing facilities. For any site to be occupied by New West, the school shall take the following steps to satisfy the SBE that the site is educationally appropriate and safe for occupancy and continued operation of the school:

- New West shall provide the SBE with copies of all relevant documents that specify the terms and conditions of rental, lease, or purchase agreements related to New West's choice of a school site (see *General Provisions of the Charter: Section III. Conditions of Approval*).
- New West shall provide the SBE with information about the site, including but not limited to the age and history of buildings, tenants of the site if shared with others, planned use of the space for educational purposes, emergency routes, traffic flow, parking, student drop-off zones, campus security, and separation of students from other tenants or neighboring properties.
- New West shall provide structural plans and architectural drawings of the site, including planned alterations or new construction, for inspection and comment by the SBE with regard to size and arrangement of rooms, number and placement of bathrooms, ADA accessibility, entrances and exits, width of hallways, lighting, signs, safety, and security.
- New West shall provide the SBE with the report of a licensed structural engineer certifying that the facility is constructed to local building code standards and that the building is sufficiently structurally sound to be used by a county superintendent of schools for the operation of a community school.
- New West shall conduct a parking and traffic safety study whose purpose is to address the adequacy of the school's drop-off and pick-up areas and procedures including the potential need for adult monitors to manage the safety of students entering and leaving the school grounds.

- New West shall create a school security plan including containment of students, access to the school site (e.g., through stairwells or other entry points), separation from other tenants of the site and neighboring properties, emergency plans and exit routes, and signage.
- New West shall consider any site review recommendations made by the SBE regarding the school site and school facilities, and shall be bound by such recommendations as required by the Charter Schools Act, by the conditions of approval by the SBE, by the terms of the oversight agreement between the SBE and New West, and by applicable building, health, safety, or educational laws relating to charter school facilities.
- New West shall provide the SBE with a Certificate of Occupancy issued by the department of building and safety not less than 30 days before commencing educational operations (see *General Provisions of the Charter. Section III. Conditions of Approval*).
- New West shall notify the SBE immediately if the school is cited at any time by any government agency (e.g., Cal OSHA or the Fire Marshall) for noncompliance with building, health, or safety regulations.
- New West shall demonstrate to the SBE that the costs of the school's facility, including alterations or new construction, can be accommodated within the school's budget.
- New West shall irrevocably instruct the owners of leased or rented property to notify the SBE if rental or lease agreements are terminated.

New West shall provide the SBE, as soon as possible after selection of its school site(s) but not later than May 1 of the year that New West plans to commence instruction at a site, with all the information that the SBE deems necessary to evaluate the appropriateness of the site for school's educational operations (see *General Provisions of the Charter. Section III. Conditions of Approval*). The SBE shall make a written determination about the appropriateness of the school site within 15 days of having received all the information it requires. If the SBE identifies deficiencies in the school site(s), then New West shall have the opportunity to correct the problems and resubmit for SBE approval of the school site(s). Under no circumstance shall New West be allowed to begin educational operations at a school site before all of the preceding conditions have been met to the satisfaction of the SBE.

X. School Founders

The Founders of New West are parents from the Westside of Los Angeles who are interested in promoting educational reform in the best interests of their children and the children of others residing throughout the greater Los Angeles area. Status as a New West Founder shall be determined solely by the amount of time and effort that a parent volunteers during the planning and implementation stages leading to the opening of New West's middle school and/or high school. The main requirements of the Founder's Agreement (see Appendix V) are 100 hours of documented volunteer service and a continuum of service on one or more school committees. Monetary pledges or contributions of material goods shall not be considered in any way toward establishing founder status. Besides the inherent benefits of volunteerism in the best interests of children and the community, the primary reward for Founders is admission preference to New West's middle school or high school for their children (not to exceed 10% of enrollment) (see *General Provisions of the Charter: Section XIII.H.3. Admission and Enrollment Preferences*). The following policies and practices shall govern Founder status at New West:

- Founder status is meant for parents who are interested in having their children attend New West at some future time.
- Founders must be the parent(s) or the legal guardian(s) of students who are given admission preference as the children of Founders.
- The number of Founders shall be proportionately limited by the total number of their children who plan to enroll at New West. The number of Founders' children shall not exceed 10% of

the total number of children enrolled in New West's middle school and high school at any one time during the school's first four years of operation (i.e., 2003-04 through 2006-07 school years). For 2007-2012, the percentage shall decrease by 1% per year (i.e., 9% for 2007-08, 8% for 2008-09, 7% for 2009-2010, 6% for 2010-2011, and 5% for 2011-2012). Thereafter, beginning in 2012-13, New West shall not offer any preference in admission for the children of Founders.

- Status as a Founder shall include those persons who completed all requirements of the Founder's Agreement before the middle school commenced classes in September 2003 or before the high school commences classes in September 2005
- Middle school Founders must meet both of the following standards: (1) accumulate 50 hours of volunteer service by the date in the Spring of 2003 when admissions are determined for the 2003-04 school year, and (2) surpass 100 hours of volunteer service by the first day of classes for the 2003-04. Volunteers who do not reach both these levels of service shall not be considered eligible for Founder status and their children shall not be allowed to enroll under Founder status.
- High School Founders must meet both the following standards: (1) accumulate 50 hours of volunteer service by the date in the Spring of the year when 12th grade is added at the time admissions are determined for that next school year, and surpass 100 hours of volunteer service by the first day of classes for the year 12th grade is added.
- Perspective parents who volunteered 50 hours or more during New West's first year of operation, and prior to March 20, 2004 shall be permitted to complete their 100 hours of service anytime during the 2004-2005 school year up until July 1, 2005 and will then be considered Founders eligible for admission preference to middle school and/or high school.
- Perspective parents who volunteered 50 hours or more prior to March 20, 2004 and who's children did not get admitted by the lottery and who are currently on the waiting list for admission for September 2004, shall have their children admitted to the middle school provided they agree to complete their 100 hours of volunteer service to the school by December 31, 2004. Once they have completed their volunteer service these parents shall be considered Founders.
- The accumulation of volunteer hours toward Founder status and the awarding of Founder status shall cease on the first day of classes for the school year in which the first students in grades 9-12 are admitted to the school.
- Volunteers shall document and report the activities and amounts of volunteer time to be used toward meeting the requirements of the Founder's Agreement.
- The Executive Board shall issue a letter that vests Founder status on each parent who has met all requirements of the Founder's Agreement.
- New West's Executive Board shall keep a list of Founders' children who are scheduled to enroll at New West each academic year based on their ages as of the commencement of classes for 2003-04. The numbers of Founders' children anticipated in each class in each year shall be made available to prospective volunteers so that they may assess the likelihood of becoming a Founder before committing to help open New West.
- Founders' children shall comply with the same admission criteria, application deadlines, and conditions of enrollment as other students wishing to attend New West.
- New West's Executive Board shall be solely responsible for resolving disputes about interpreting or applying these policies or any other aspect related to Founder status.

XI. Charter School Organizations

New West shall maintain a membership in the California Charter Schools Association (CCSA), or another similar organization, for the purpose of both promoting the charter model of school reform generally and enhancing New West's effectiveness as a charter school specifically. New West will send at least one teacher, administrator, or Governance Council member to CCSA's annual meeting. The school's teachers, administrators, and Governance Council members are encouraged to attend workshops held by organizations such as the Charter Schools Development Center, Institute for Education Reform, California State University, Sacramento California. New West will schedule on-campus seminars to keep its community of parents and educators informed about the evolving principles and practices of charter schools.

XII. Equal Rights Statement

New West, as a charter school, is specifically barred from racial, sexual, or ethnic discrimination in any aspect of its operation [Education Code 235]. New West shall be nonsectarian in its programs, admission policies, employment practices, and all other operations [Education Code 47605(d)(1)]. New West shall not discriminate against, or grant preferential treatment to, any individual or group on the basis of race, sex, color, ethnicity, national origin, or disability in any aspect of its operation, educational program, or dealings with students, parents, and employees [Education Code 47605(d)(1) and California Constitution, Article 1, Section 31].

XIII. Required Elements of the Charter

A. Educational Program

New West took a benchmarking approach to the development of its educational program for the middle school that opened in September 2003. Specifically, New West Founders worked with educational researchers, using California Department of Education statistics, to identify the five highest performing middle schools in the state that serve similar populations of students as anticipated will enroll at New West. New West formed an Educational Study Panel to site visit each of these five schools to gather detailed information about curriculum, assessments, budgetary options, school organization, and other aspects of those schools' educational programs. Additionally, the study panel sought the advice of several educational consultants and middle school principals of high-performing schools. The information gathered by the Educational Study Panel was used to formulate the operational details of New West's educational program. Thus, New West's educational program for the middle school is based on "best practices" synthesized from the different programs, methods, and strategies of those middle schools that the Educational Study Panel found to be most successful as a model to fulfill New West's educational mission. The educational program for the middle school is presented in the document "New West Charter Middle School Educational Plan" that was approved by SBE in May 2002 as a condition for opening New West in September 2003.

Naturally, it is to be expected, even encouraged, that New West's education program will evolve over time as the school's educators, parents, and Founders determine that it would be best to add, delete, or revise various policies, procedures, or practices in the best interests of the school's students. Accordingly, the Educational Study Panel will be continued in future years as a part of the school's Curriculum Committee. New West intends to continue learning from other successful schools as well as from its own experiences in order to maintain and further improve a high level of student learning.

With regard to the proposed high school, New West will adopt the same benchmarking, best-practices approach to developing an educational program for grades 9-12. New West shall provide the SBE with a comprehensive outline of its high school program and budget for

comment and approval by the SBE before the school begins educational operations. The information provided to the SBE for review and comment shall include:

- Brief report by the Educational Study Panel on the results of the school's benchmarking approach to developing the high school's educational program (see beginning of this section).
- General overview of the curriculum including specific classes to be taught, course descriptions, curricular schedule, and school calendar for grades 9-12.
- Reasonably comprehensive descriptions for each grade level of the core curricular areas listed in *General Provisions of the Charter. Section XIII.A.6. Core Curriculum* organized by curricular and instructional design elements (i.e., instructional objectives, instructional design, instructional delivery, differentiation, assessment, and instructional materials as discussed in *General Provisions of the Charter. Section XIII.A.5. Curricular and Instructional Design*).
- Reasonably comprehensive descriptions of how the school will help all high school students meet the school's desired exit outcomes for academic excellence, character development, and life skills as discussed in *General Provisions of the Charter. Section XIII.B. Measurable Student Outcomes*, including students who are academically low achieving (see *General Provisions of the Charter. Section XIII.A.11*), students who are gifted (*Section XIII.A.12*), students who are English language learners (*Section XIII.A.13*), and students who have special needs (*Section XIII.A.14*).
- Reasonably comprehensive descriptions of the schedule and types of assessments to be used to monitor a high school student's progress toward meeting the "benchmark skills" (i.e., promotion standards) that students must demonstrate to progress through the continuum of skill and grade levels (see *General Provisions of the Charter: Section XIII.A.18. Grading System and Report Cards; Section XIII.A.19. Student Promotion and Retention Policy; General Provisions of the Charter. Section XIII.B. Measurable Student Outcomes*; and *Section XIII.C. Evaluating Student Performance*).

New West shall provide the SBE with this comprehensive outline of the school's educational program for the high school grades as soon as possible but not later than May 15 of the year that New West plans to commence instruction (see *General Provisions of the Charter. Section III. Conditions of Approval*). The SBE shall make a written determination about the soundness of the educational program within 15 days of having received all the information it requires. If the SBE identifies deficiencies in the educational program, then New West shall have the opportunity to correct the problems and resubmit for SBE approval of the educational program. Under no circumstance shall New West be allowed to begin educational operations at its high school site before the SBE is satisfied with the school's educational program.

1. Students to Be Served

New West will provide for the free, nonsectarian, public education of all middle school and high school students in grades 6-12 who desire a broad and comprehensive foundation in reading and language arts, mathematics, science, and history and social science supplemented by a variety of enrichment programs in the visual and performing arts, world languages, health and physical education, and extracurricular activities designed to enhance the core curriculum. New West's educational program focuses on middle school students who want to develop the skills, knowledge, and attitudes that prepare them to be successful in college preparatory courses at the high school level, and high school students who seek to be successful in college. The school, which is open to any student who wishes to attend, enrolls a multi-cultural, multi-ethnic, socioeconomically diversified student body without respect to race, sex, color, ethnicity, national origin, or disability. New West promotes the school's philosophy and vision throughout the greater

Los Angeles area to attract students and families who share the school's core beliefs about quality education, home/school/community partnership, and shared local control of the school's operation and educational program. For geographic reasons, most New West students come from Westside neighborhoods served by the Los Angeles Unified School District LAUSD (primarily), Beverly Hills Unified School District, Culver City Unified School District, Inglewood Unified School District, and Santa Monica-Malibu Unified School District. New West's educational program addresses students of all abilities — ranging from those who require remedial attention to the high proportion of gifted and talented children who graduate from the local public and private elementary schools — in a manner that meets the individual needs of each student. Special emphasis is placed on remediation through expanded learning experiences for academically low achieving students. New West has a full service special education program that provides all special needs children with an appropriate education in a least restrictive environment that assures students with disabilities have full access to the school's educational program to the same extent as students without disabilities (see *General Provisions of the Charter, Section XV. Special Education*).

2. What It Means to Be an “Educated Person”

The process of education is the development of knowledge and cognitive abilities, physical and interpersonal skills, emotional and attitudinal predispositions, and character formation and work habits. New West recognizes that the domain of education is broader than formal schooling. Accordingly, New West integrates the formal schooling that takes place within its walls with a broader perspective in order to equip students to live — and continue to learn — in an increasingly complex and information-rich modern world. Thus, New West has the objective of enabling students to become self-motivated, competent, and lifelong learners.

New West students work with parents, teachers, and community members to become actively involved in their own learning, both in determining the nature of their educational endeavors and in being active participants in their learning experiences. At New West, middle school and high school students develop their abilities to think about and discuss ideas and issues critically, and to question and inquire about the world around them. They understand the rigors of mathematical proof and how to apply the scientific method of investigation. They remain intellectually flexible. They are able to analyze and understand complex systems. They learn to think holistically, abstractly, and creatively. They understand how to set and achieve goals in a variety of situations. They learn to reason critically and creatively. They communicate with clarity, focus, and understanding of the audience they are addressing. These skills can be acquired because of the abilities of carefully selected teaching professionals who use teaching materials and methods appropriate for communicating the thought processes and philosophy to which New West subscribes.

Students at New West develop academic and social skills appropriate for an ever-changing, globally interconnected, multicultural, and multiethnic world. New West recognizes that society in the new century is an informational society requiring high levels of literacy, clarity of thinking skills, and increased abilities to process information. Indeed, so much information is available and accessible in today's world that New West students must learn not only to access information, but also to use, filter, and critically analyze that information. In addition, New West graduates must have a concept of themselves as being part of a larger, interconnected system of life in which national and global interdependence continues to increase as technology becomes more powerful, accessible, convenient, and complex. They are, therefore, as part of their New West

experience, involved in meaningful, productive, flexible, and adaptive learning, with the purpose of their public school education being the development of genuine learning skills. Graduates of New West will know how to live and learn in this new and ever-changing world.

Students at New West learn to be proactive in their social behavior and choices. They are able to act ethically and to take responsibility for their own actions. They are able to work and live harmoniously with others in a multicultural and multiethnic world. They are able to understand and relate to the complexity of the natural environment in which they live. They are able to see the possibility of continuity within change and, with their awareness of the integrity of the system of life always lively at any level of their activity, they are able to interact with their natural and human environments in which they find themselves in ways that are flexible, purposeful, and creative.

3. How Learning Best Occurs

New West recognizes that learning best occurs when children are immersed in a culture of education that both challenges and nurtures their development as individuals. Teachers, parents, and community members must create a shared culture — an environment that is unified by the high value placed on education. In the culture New West seeks to create, education is not merely a stage to be traversed on the route to adult status, but rather a lifelong perspective that knits together the home, the school, and the community.

Thus, within the educational culture provided by teachers, parents, and community, New West believes students learn best when:

- They become an integral part of a strong educational value system that pervades their home, their school, and their community.
- They are provided with developmentally appropriate challenges to grow both intellectually and emotionally.
- They are provided opportunities to develop multiple dimensions of intelligence and competencies.
- They are intrinsically motivated by the process of learning as facilitated by a constructive educational environment and flexible curriculum adaptive to the needs of individual students.
- They are respected for and encouraged to develop their individual learning styles.
- They are active participants in the educational program through hands-on lessons, an integrated curriculum, and thematic and project-based learning.
- They are encouraged to extend their core learning in reading and language arts, mathematics, science, and history and social science through enrichment activities in the visual and performing arts, world languages, technology, and physical education.
- They are engaged in collaborative and cooperative learning encounters with their peers under the guidance of knowledgeable adults.
- They are engaged in the mastery of facts and in the application of their accumulated factual knowledge to real life situations.
- They have opportunities to demonstrate personal competence and integrity as contributing members of the community.
- They are equipped to develop an understanding of and respect for individual and cultural differences as well as an ability to deal with those differences in a responsible and mature manner.

- They appreciate the interdependence among peoples, which reinforces their ability to empathize with and demonstrate compassion toward others.
- They accept the challenge of transitioning from one language to another, and develop strong English language skills in the most positive and timely manner possible, with the help of skilled teaching staff.

4. Educational Philosophy

New West uses a common curriculum (for each grade level/course) and a common set of assessments that are aligned with the curriculum. The curriculum is aligned with state content standards. The primary assessment tools are of three types: standardized tests, curriculum-specific tests, and ongoing performance assessments that used to continuously monitor progress of each student's learning. New West places a heavy emphasis on teacher learning as well as student learning.

Teacher learning, like that of students, primarily takes place at the school, in the context of the specific standards, curriculum, and assessments being used. The school week is organized to give teachers regular, ongoing opportunities to collaborate in the improvement of teaching and learning at the school. Recent research supports this kind of teacher learning as the most effective way to attain long-term gains in student achievement.

a. An Integrated School Curriculum

A sound educational methodology begins with recognition of the limitations of past practice. Knowledge has traditionally been organized and presented to students through specialized subject areas that contain much that is known about the world and how to understand it. New West begins with the presupposition that presenting knowledge as a set of separate, discrete blocks is not an optimal method of engaging the attention or fostering the intellectual and personal development of middle school students. New West believes it is essential to add another approach — “integrated curriculum that will present knowledge as a more integrated whole in order to show how the various parts fit together.”²

An integrated curriculum enables teachers and students at New West to concentrate intensively on the skills needed to learn as well as the content of the individual subjects. A pedagogy that features an integrated approach not only increases students’ mastery of the material, it furthers the development of their reasoning, logic, and analytic skills. A synergistic program of community service enables students to reinforce their academic achievements by putting their knowledge to practical use.

New West’s middle school educational methodology addresses itself directly to the question “what does it mean to be an educated person in the 21st Century?”³ A meaningful and qualitative educational program must address itself to all aspects of a student’s personal development. It must impart not only a set of core intellectual skills but also a sense of values including a commitment to function as a responsible member of a civic community. As educated persons of the 21st Century, graduates of New West will have strong concepts of themselves as self-motivated, competent, and

² For an excellent statement of this research, see J. Beane, “The School: The Natural Home of Integrated Curriculum” in Educational Leadership (Volume 49, Issue 2, October 1991).

³ We have been much influenced by the report of the Carnegie Council on Adolescent Development, Turning Points: Preparing American Youth for the 21st Century (New York: Carnegie Corporation, 1989).

lifelong learners. They will have academic and social skills appropriate for an increasingly technological, ever-changing, globally inter-connected, multicultural world.

The educational program at New West also addresses the development of intuitive and inter-personal skills that will allow New West graduates to behave responsibly and prudently, as they become proactive in their social behavior and social choices. New West students will have gone far toward the development of a normative understanding of the need to treat those they meet in life as individuals and not as members of a particular gender, ethnic, cultural or language group. Only by developing this understanding will they be able to work and live harmoniously with others in a multicultural and multiethnic world.

b. Personalized Learning Environment

New West emphasizes the individual student through its small school and small class size. New West will further reduce effective class size, as funding permits, by utilizing trained teaching aides, parent volunteers, and Scholars-in Residence working under the direction of classroom teachers, to provide help as necessary to insure the progress of each student to meet individual needs. Individual needs will also be met by having students be "mobile" by moving through the school day among classrooms and sub-groups that best suit their proficiency in a particular subject, and by having students participate in remedial programs during and after school as may be required. Through these methods, New West expects to promote academic achievement for all students ranging from those who are low achieving to those who are highly gifted.

c. Diversity of Learning Styles

Students are best served by classroom teaching that recognizes the many facets of learning, the variety of learning styles (e.g., oral, visual, or kinetic), and the diversity of abilities among students. Students deserve an educational curriculum and an educational methodology that enable them to master a heterogeneous subject matter in a manner that fosters a devotion to education as a lifelong process. Students further need an educational approach that assigns high priority to problem solving, critical thinking, and the development of oral, written, and artistic communication. Students need and deserve the opportunity to develop fully the skills at which they individually excel, whether they are verbal, quantitative, analytic, social, performing, or visual talents, while at the same time realizing their maximum potential in other skill areas.

d. Self-Actualizing Students

New West's educational environment begins with the question: what will it take to give New West's students the very best chance to become self-actualizing, reasonable, proficient, and caring adult members of society? New West's answer begins with the proposition that students deserve the deepest possible investment that educators and parents can make in terms of psychological, material, and intellectual resources.

e. Social Awareness

Students in the middle school and high school years benefit greatly from the opportunity to participate in extracurricular social activities that foster the values of cooperation and of sharing responsibility. To nurture this dimension of students'

development, New West provides numerous social forms of participation such as after-school clubs, athletics, and programs. The local community is especially rich in parents who are involved in the arts, media, journalism, science, technology, business, medicine, and law. Parental involvement will make this dimension of New West's educational program especially rich.

f. Recognition for Educators

Fundamental to the New West venture are well-qualified teachers whose professional morale is buoyed by the personal esteem and appreciation of parents whose children they teach. Teachers must be treated as valued professionals whose knowledge of the educational process, derived through long and ongoing training in how to accomplish the best, is the absolute prerequisite for the success of New West. Teacher morale must be further reinforced by providing structured and fully regularized opportunities for teachers to make their own professional inputs into the educational curriculum and the way it is taught. Educational research has shown that the teachers whose students perform best are those who have the critically important educational opportunity of small classes. Teachers must also have available a full range of modern amenities including audio-visual services and high capacity connections to internet technology. Most importantly, teachers must enjoy the supportive assistance of parent volunteers, teaching aides, and Scholars-in-Residence (see *General Provisions of the Charter: Section XIII.A.10. Scholars-in-Residence Program*). New West shall conduct an annual survey of faculty, staff, and volunteers regarding the school's educational program with an emphasis on how the school might be improved to better fulfill its Mission Statement. An analysis of the survey shall be published as part of the school's annual Programmatic Performance Report (see *General Provisions of the Charter. XIII.I.2*).

g. Parental Involvement

New West believes that close, strong, on-going collaboration between parents and educators is the single most important determinant of student success. To that end, each parent of a New West student will be encouraged to commit time and effort to the school. Parents are asked to contribute their personal and professional skills on a volunteer basis in the classroom to achieve New West's goal of personalized instruction. The goal is to have home, school, and community viewed as three facets of a single, seamless educational value system. To this end, New West shall have an agreement that outlines what is expected of parents with respect to participating in their children's education (see *General Provisions of the Charter: Section XIII.D.5.c. Home-School Contract*).

h. Mutual Accountability

People perform best when they know most clearly what is expected of them, as well as the consequences of meeting (or failing to meet) those expectations. Everyone in the New West community has a hand in determining the school's academic and behavioral standards, and stakeholders join together in monitoring individual and collective progress at the school. The feeling New West fosters is one of *ownership* — it should be second nature for every member of the school's community to think of New West as "*my school*."

i. Some Specific Program Goals

The following perspectives serve as a useful summary of objectives that guide New West's philosophy of middle school and high school education.

- New West, in striving for innovation and excellence in education, shall use the California state content standards for reading and language arts, mathematics, science, and history and social science as a “floor” or “foundation” on which to build, not a “ceiling” for which students must strive.
- New West shall provide greater learning opportunities for its students through small class size and, possibly, longer school days or a longer school year.
- New West shall emphasize “individualized” learning throughout the school, through differentiated instruction that maximizes the exceptional abilities of each student, allowing them to excel or remediate as necessary.
- New West shall celebrate a strong partnership between students, parents, teachers, administrators, staff, and community members.
- New West shall emphasize multi-disciplinary studies in a curriculum that takes a traditional, rigorous approach to all subjects.
- New West shall encourage students to be innovative and high achieving — i.e., the “leaders of tomorrow” — with confidence, diplomacy and integrity.
- New West shall develop a gender-neutral curriculum to support all students’ access, real and perceived, to all aspects of school life.
- New West shall promote a broad program of enrichment and extracurricular activities designed to complement the school's curriculum.
- New West shall implement a system of individual accountability to measure student achievement and collective accountability to measure the school's progress toward its educational goals.
- New West shall utilize portfolio collections of student work evaluated according to school-wide rubrics for monitoring student progress.
- New West shall have a collegial system, utilizing Faculty Mentors for advising students.
- New West shall employ credentialed/certificated teachers, who shall be chosen for their demonstrated excellence in their fields of study, their ability to work collaboratively, their excitement about the prospect of ongoing professional development, and their commitment to the opportunities available to charter schools.
- New West shall have teaching aides, parent volunteers, and “Scholars-in-Residence” to help in the classroom, to offer enrichment and extracurricular experiences, and to help inspire and model a love of learning in the school's students.
- New West shall expect parent participation as one of the cornerstones of its educational program.
- New West shall promote community involvement in the school and require student involvement in the community.

5. Curricular and Instructional Design

New West's central focus in curricular development is aligning and integrating state content standards, state curriculum frameworks, the school's desired exit outcomes,

multiple measures of assessment, and relevant classroom instructional methods and materials. New West organizes the design and implementation of its educational program around the following curricular and instructional dimensions applied to each of the core academic content areas discussed in the next section:

- **Instructional Objectives.** Define what is taught and learned (i.e., the state content standards for each area of the curriculum as identified by subject in the next section).
- **Instructional Design.** Strategically select and sequence information to be taught, including what to teach, when to introduce skills and concepts, how to select examples, how to integrate standards, and how to teach for transference and generalization.
- **Instructional Delivery. Establish** procedures and strategies for teachers to develop students' skills and knowledge, including what teachers and students do (e.g., modeling, pacing, reinforcement, questioning, corrections, feedback) and the structure of delivery (e.g., teacher demonstration or modeling, guided practice, peer-mediated instruction, and independent practice and application).
- **Differentiation. Establish** procedures and strategies for students with special academic, emotional, or physical needs, for students who are advanced learners, and for students who are English language learners, including decisions about modification of materials and the pacing of content and objectives.
- **Assessment.** Three critical purposes should be addressed: entry level assessment for instructional planning (i.e., how to determine skill levels through meaningful indicators of proficiency prior to instruction); monitoring student progress toward the instructional objective (i.e., how to determine student progress on skills and concepts during instruction); and post-test assessment toward learning standards (i.e., how to determine the teaching effectiveness and student proficiency after instruction).
- **Instructional Materials.** Establish criteria for selecting instructional materials that: have an appropriate sequencing of content, skills, and strategies; provide an adequate number and range of examples; address prerequisites for learning through a sufficient review of previously taught content, skills, and strategies; and include assessment tasks that parallel the content to be mastered.

6. Core Curriculum

The primary resources for determining the detailed content and scheduling of the curriculum for core disciplines shall be:

- State curriculum frameworks developed by the California Curriculum Development and Supplemental Materials Commission and adopted by the California State Board of Education.
- State content standards developed by the California Commission for the Establishment of Academic Content and Performance Standards (Academic Standards Commission) and adopted by the California State Board of Education pursuant to the Leroy Greene California Assessment of Academic Achievement Act [Education Code 60600 et seq.].
- State content standards developed by the California Department of Education as part of the Challenge School District Initiative for School District Reform.

These state curriculum frameworks and state content standards, as cited individually below, are incorporated by reference as part of the Charter. New West uses these frameworks and standards as the baseline control for assessing the school's curriculum. New West will incorporate revised versions of the state curriculum frameworks and state

content standards as they become available. The sections below outline some of the fundamental principles that guide the school's curriculum.

a. Reading and Language Arts

With regard to the basic tenets for teaching reading and language arts in grades 6-12, New West will:

- Make reading and language arts exciting, relevant, and fun!
- Present an effective reading and language arts curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Reading/Language Arts Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1999).
- Cover the grade-level curricular content specified in *English-Language Arts Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1998).
- Emphasize content and learning experiences in reading and language arts that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Emphasize reading and language arts as central to all academic subjects for obtaining and communicating information.
- Teach fiction and non-fiction writing.
- Set high standards for fundamental spelling and grammar skills.
- Teach students strong, fundamental skills for researching information, taking notes, organizing ideas, developing an outline, using the dictionary, and editing and revising.
- Develop oral communication skills through group discussions and classroom presentations.
- Expose students to the different modes of written expression, from poems to movie scripts, as well as the diversity of literature through time and across cultures.
- Develop the mechanics of creative writing, journalism, business communication, and scientific writing.
- Recruit a cadre of Writers-in-Residence (e.g., volunteers who professionally rely on reading and language arts such as authors, journalists, and screen writers from the community) who want to participate in classroom teaching, supervise projects, and give "Master Classes" such as creative writing as part of the school's enrichment and extracurricular educational program.

b. Mathematics

With regard to the basic tenets for teaching mathematics in grades 6-12, New West will:

- Make mathematics exciting, relevant, and fun!
- Present an effective mathematics curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Mathematics Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1999).

- Cover the grade-level curricular content specified in *Mathematics Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1999).
- Emphasize content and learning experiences in mathematics that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Emphasize fluency with traditional (abstract) mathematical concepts, statistics, and computation skills.
- Employ innovative and interactive teaching methods that have proved most effective in teaching mathematics including its relevance as a life skill for everyday living.
- Use a serial approach to the continuum of mathematics to provide the necessary building blocks for deeper conceptualization.
- Integrate mathematics with scientific quantification to emphasize the interrelationships among math, science, and technology.
- Use the computer as integral part of the study of mathematics.
- Recruit a cadre of Mathematicians-in-Residence (e.g., accountants, engineers, and other community volunteers who use mathematics on a daily basis) who want to participate in classroom teaching, supervise projects, and give “Master Classes” as part of the school’s enrichment and extracurricular educational program.

c. Science

With regard to the basic tenets for teaching science in grades 6-12, New West will:

- Make science exciting, relevant, and fun!
- Present an effective science curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Science Framework for California Public Schools: Kindergarten through Grade Twelve*, (California Department of Education, 1990; a revised curriculum framework for science is expected to be completed in 2001).
- Cover the grade-level curricular content specified in *Science Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2000).
- Emphasize content and learning experiences in science that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Develop a traditional and an integrated science program that combines the core sciences of biology, physics, and chemistry, each year.
- Teach students to understand and intuitively use the scientific method: identify a problem and pose relevant questions, state a hypothesis, conduct an experiment, understand the variables, analyze the data, and reach a conclusion or solution that serves as the hypothesis for the next round of inquiry.

- Compensate for traditional gender bias experienced by girls in science, which becomes especially prevalent at the middle school level, by choosing teachers and textbooks that make scientific knowledge and inquiry exciting to all students.
- Study science in a global context that addresses environmental issues and their social implications.
- Introduce the basic concepts of physics and chemistry so that students may develop an early appreciation for these subjects.
- Teach science and mathematics as co-operative and closely integrated subjects.
- Use the computer as an integral part of science and technology for information retrieval, data acquisition, scientific analysis, and communication of results.
- Take science field trips that integrate with the curriculum and enrich the appreciation for science and technology.
- Engage students in Science Portfolio Projects and Science Fair Projects that are accomplished on site with the help of “tutors”, “volunteer” parents, and “service learning component” high school and college students.
- Recruit a cadre of Scientists-in-Residence (e.g., volunteer professional scientists and engineers from the community) who want to participate in classroom teaching, supervise projects, and give “Master Classes” as part of the school’s enrichment and extracurricular educational program.

d. History and Social Science

With regard to the basic tenets for teaching history and social science in grades 6-12, New West will:

- Make history and social science exciting, relevant, and fun!
- Present an effective history and social science curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *History-Social Science Framework for California Public Schools: Kindergarten through Grade Twelve*, (California Department of Education, 1997; a revised curriculum framework for history and social science is expected to be completed in 2002).
- Cover the grade-level curricular content specified in *History-Social Science Content Standards for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 2000).
- Emphasize content and learning experiences in history and social science that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Treat a thorough knowledge of geography as fundamental to understanding the flow of history, the interrelationships among the world’s peoples, and man’s interaction with the natural world.
- Study the contributions of scientists, writers, explorers, composers, artists, leaders, and keepers of the cultural heritage in perspective to their time and place in history.
- Present historical material through many mediums: performance, literature, historical letters and other primary sources, art, biography and historical account.

- Develop in students a global perspective on the diversity of cultures, and the dignity of the individual by using comparative philosophy, ethics, religion, economic systems and government, as well as foods, fashions and the arts, to sensitize students to the world around them and the diversity families they live among.
- Teach cultural diversity, both ancient and modern, through studying archeology, anthropology, history, and geography.
- Seek a grant to create an International Studies Program that interrelates language and cultural studies to all other subjects studied at New West.
- Recruit a cadre of Scholars-in-Residence (e.g., community volunteers who are historians or social scientists) who want to participate in classroom teaching, supervise projects, and give “Master Classes” such as archeology or religions of the world as part of the school’s enrichment and extracurricular educational program.

e. World Languages

With regard to the basic tenets for teaching world languages in grades 6-12, New West will:

- Make learning a second language exciting, relevant, and fun!
- Present an effective world languages curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Foreign Language Curriculum Framework K-12* (California Department of Education, 2001).
- Cover the grade-level curricular content specified in *Foreign Language Standards: Draft Interim Content and Performance Standards* (California Department of Education, 1995; revised content standards for foreign languages are expected to be completed in 2003) and *Standards for Foreign Language Learning: Preparing for the 21st Century* (American Council on the Teaching of Foreign Languages, 1995).
- Emphasize content and learning experiences in world languages that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Take advantage of developing brain pathways at an early enough age to make language acquisition easy, and to use the learning of languages to open new pathways in the brain.
- Offer several choices in second languages, modern and classical, such as Spanish, French, Chinese, Japanese, or Latin, as feasible.
- Use the study of language to help develop international competence by increasing students’ awareness and appreciation of other cultures and beliefs.
- Teach world languages in an immersion program if possible.
- Establish a language lab to promote language acquisition.
- Use an integrated approach in which reading and the language arts facilitate and reinforce language fluency.
- Study great books in their original languages.

- Seek a grant to create an International Studies Program that interrelates language and cultural studies to all other subjects studied at New West.
- Recruit a cadre of Linguists-in-Residence (e.g., community volunteers fluent in languages other than English) who want to participate in classroom teaching, supervise projects, and give “Master Classes” as part of the school’s enrichment and extracurricular educational program.

f. Visual and Performing Arts

With regard to the basic tenets for teaching the visual and performing arts in grades 6-12, New West will:

- Make learning about the visual and performing arts exciting, relevant, and fun!
- Present an effective visual and performing arts curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Visual and Performing Arts Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1996; a revised curriculum framework for visual and performing arts is expected to be completed in 2003).
- Cover the grade-level curricular content specified in *Challenge Standards for Student Success: Visual and Performing Arts* (California Department of Education, 1998) and *National Standards for Arts Education: What Every Young American Should Know and Be Able to Do in the Arts* (Consortium of National Arts Education Associations, 1994)
- Emphasize content and learning experiences in the visual and performing arts that allow students to develop the skills, knowledge, and attitudes necessary to meet the measurable student outcomes for critical thinking and core academics listed in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Treat the visual and performing arts as an integral component of a balanced liberal arts education.
- Implement the visual and performing arts as a comprehensive, curriculum-based educational component, designed to introduce art, music and culture, both in the classroom setting, and in combination with multiple museum and concert visits.
- Incorporate in the curriculum slide-illustrated and music-recording discussions, as well as studio art, music, and performance experiences.
- Study the visual and performing arts from both historical (classical) and contemporary (multi-media, digital arts) perspectives.
- Train teachers through intensive professional development workshops to use the visual and performing arts as a way of studying and communicating about core academic subjects.
- Recruit a cadre of Artists-in-Residence (e.g., artists, musicians, and actors from the community) who want to participate in classroom teaching, supervise projects, and give “Master Classes” as part of the school’s enrichment and extracurricular educational program.

g. Physical Education and Health

With regard to the basic tenets for teaching physical education and health in grades 6-12, New West will:

- Make physical education and health exciting, relevant, and fun!
- Present an effective physical education curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Physical Education Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1994; a revised curriculum framework for physical education is expected to be completed in 2002).
- Cover the grade-level curricular content specified in *Challenge Standards for Student Success: Physical Education* (California Department of Education, 1998) and *Moving into the Future: National Standards for Physical Education: A Guide to Content and Assessment* (National Association for Sport and Physical Education, 1995).
- Develop an effective health curriculum using the grade-level considerations, instructional strategies, and assessment guidelines outlined in *Health Framework for California Public Schools: Kindergarten through Grade Twelve* (California Department of Education, 1994; a revised curriculum framework for physical education is expected to be completed in 2001).
- Cover the grade-level curricular content specified in *Challenge Standards for Student Success: Health Education* (California Department of Education, 1998).
- Provide a physical education program that offers both individual and team sports including volleyball, soccer, basketball, baseball, softball, track, dance, gymnastics, and other physical activities that promote fitness, teamwork, and individual abilities.
- Focus on issues of good-sportsmanship, maintaining a healthy body, and performing at their personal best in an atmosphere of fun.
- Have students learn and apply good physical, social, and emotional health concepts related to healthy nutrition, substance abuse, sex education, and other issues.
- Recruit a cadre of Coaches-in-Residence (e.g., community members with special athletic talents or coaching experience) who want to participate in physical education instruction, supervise sports, and give "Master Classes" as part of the school's enrichment and extracurricular educational program.

7. Instructional Materials

New West shall continuously evaluate from year-to-year the instructional materials used in its educational program. New West relies on the professional judgment of its teachers to select educational materials that best meet the needs of students at the different grade levels. Educational materials are selected from state-adopted lists to be sure that they reflect state content standards for reading and language arts, mathematics, science, and history and social science. New West shall include professional development time for teachers to learn how best to use the selected instructional materials in the curriculum. New West shall plan ahead to insure sufficient textbooks, workbooks, computer software, and other instructional materials for all enrolled students. New West will print its own report cards and purchase assessment tools such as testing texts and state and national standardized testing materials as needed.

8. Community Service Learning Component

To further prepare students for life and work in the often-bewildering universe of the 21st Century, New West shall seek out community relationships that provide additional learning opportunities through civic, charitable, social, or environmental involvement. Educational research has conclusively demonstrated the remarkable educational synergy between service activity and the student's educational attainment.⁴ School teachers who have embraced service learning as an instructional methodology stress the remarkable compatibility between educational achievement and service activity. Leading educational researchers have also established that a service activity can constitute a vital component of a middle school curriculum.⁵ Useful strategies for incorporating a community service-learning component into New West's curriculum are outlined in *Service Learning Standards: Draft Interim Content and Performance Standards* (Superintendent's Challenge Initiative, California Department of Education, 1995). The *Challenge Toolkit*, which is part of the State Superintendent of Public Instruction's Challenge Initiative, includes a service-learning component that outlines the principles of community service learning and describes model projects. An integral part of the community learning component of the curriculum is the Scholars-in-Residence Program that brings knowledgeable parents and community members to campus to participate in various aspects of New West's educational program (see *General Provisions of the Charter: Section XIII.A.10. Scholars-in-Residence Program*).

9. Enrichment and Extracurricular Programs

New West shall implement an extensive program of in-school enrichment programs and after-school extracurricular activities. The purpose of these programs shall be to supplement and complement classroom instruction in the core academic areas, and to provide ancillary experiences for students that broaden their skills, knowledge, and attitudes in areas not addressed by New West's formal curriculum. The nature and schedule of activities will vary as parents come and go, as community members volunteer their time, as the educational needs of classroom teachers evolve, and as the interests and talents of the student body change from year to year. The enrichment and extracurricular programs are presented or supervised by the Enrichment and Extracurricular Activities Committee.

10. Scholars-in-Residence Program

New West's Scholars-in-Residence Program supplements and complements the core instructional program taught by the school's credentialed teachers. Scholars-in-Residence include: parents, interested community members, or hired part-time teachers, who are, for example, authors, journalists, or screen writers (Writers-in-Residence), accountants or engineers (Mathematicians-in-Residence), historians or social scientists (Scholars-in-Residence), scientists or engineers (Scientists-in-Residence), fluent in a foreign language (Linguists-in-Residence), artists, musicians, or actors (Artists-in-Residence), and athletes or coaches (Coaches-in-Residence). These people, who are experts through education, training, professional practice, or avocation, inspire and model the love of learning and high achievement. The intent is to have a substantive number of volunteer educators who can be called on to participate in classroom activities and

⁴ See, for example, Ron Schukar, "Enhancing the School Curriculum through Service Learning" in Theory into Practice (Summer 1997, Vol. 36, Issue 3).

⁵ P. Hurd, J. T. Robinson, M.C. McConnell, and N.M. Ross, The Status of School and Junior High School Science (Boulder [CO]: Biological Sciences Curriculum Study. 1981).

supervise projects under the direction of the classroom teachers, and to offer “Master Classes” as part of the school’s enrichment and extracurricular educational program.

11. Academically Low Achieving Students

New West shall have the goal of increasing learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as academically low achieving. The initial component of New West’s program for low-achieving students shall be early identification of students with deficiencies in any academic subject but especially mathematics, reading, and written expression. New West shall notify parents of low-achieving students so that they can be actively involved in the development and implementation of remediation of their children’s academic deficiencies. Students at risk of failing to meet state adopted standards applicable to charter schools, or who are at risk of retention, shall receive extra attention in and outside the classroom. Raising the proficiency of academically low-achieving students usually involves some combination of differentiated instruction (see the next section), required supplemental education classes after school, on weekends, and/or during the summer, and at-home remedial work. Emphasis is on methods that allow low-achieving and at-risk students to gain new knowledge, learn new strategies for acquiring information and solving problems, and enhance their perspective on the value and excitement of learning.

Professional development for New West’s teachers shall include specific training in recognizing academically low-achieving students, understanding how they can be helped to raise their achievement levels, and applying appropriate methodologies including differentiation in the classroom. The school’s role shall include counseling parents about parenting styles that foster high educational expectations of children, the cognitive and socio-emotional needs of low-achieving children, and strategies to use at home to reinforce and extend the remedial efforts being made at school.

12. Gifted and Talented Students

New West shall address the needs of gifted and talented students whose learning characteristics, thinking aptitudes, and abilities differ significantly from those of their same-aged peers. New West shall develop differentiated learning environments in which gifted and talented students can acquire skills and understanding at advanced ideological and creative levels matching their potentials. Differentiated instruction shall include complexity (making connections or seeing relationships), acceleration (advanced content through curriculum compacting), novelty (introducing new areas of study), and depth (exploring a subject in greater depth). Differentiation involves lessons, discussions, and approaches that involve the whole class, flexible groups within a class with students changing groups to be taught at the appropriate level, tiered lessons that have specific learning objectives aligned to the needs of individual students, or clustering of students in special classes. Assessment and identification of gifted and talented students shall be based on intellectual, creative, academic, or leadership ability and achievement, talent in the visual and performing arts, or other criteria that the school finds appropriate.

Professional development for New West’s teachers shall include specific training in recognizing gifted and talented students, understanding what differentiated instruction is, and applying differentiation in the classroom. The school’s role shall include counseling parents about parenting styles that support giftedness, the cognitive and socio-emotional needs of high-achieving children, and strategies to use at home to reinforce and extend differentiated experiences at school. The Governance Council shall approve policies and procedures for identifying gifted and talented students. The Governance Council shall

also be responsible for approving programs and services provided to gifted and talented students that reflect any applicable laws governing charter schools.

New West believes that differentiated instruction according to the abilities and achievement levels of individual students is the appropriate methodology for addressing the needs of all students from the lowest achieving to the most highly gifted. Differentiation provides a richer, more meaningful learning experience for all students by insuring that instruction is individually tailored to engage each student to fully achieve their potential. Consistent, frequent use of differentiation over time raises achievement levels of all students in the class.

13. English Language Learners

Learning best occurs for English language learners when there is a program for English language development that assists, encourages, and motivates students in successfully achieving English language proficiency at the fastest possible rate. Such a program includes structured immersion instruction for English learners, such as specially designed academic instruction in English and sheltered English strategies to ensure access by English language learners to the full range of educational opportunities that New West envisions for all its students.

New West shall adopt the goals of the LAUSD Master Plan for the Education of English Language Learners as a model for providing opportunities for all students to become bilingual-biliterate adults. New West's program allows English language learners to achieve the following:

- Self-esteem and pride in one's language and culture and the ability to relate positively to all cultural groups.
- Academic achievement in all subject areas.
- Academic proficiency in all dimensions of the English language.

The Governance Council shall approve policies and procedures for identifying students in need of English language development. The Governance Council shall also be responsible for approving programs and services for English language development that reflect any applicable laws governing charter schools.

14. Students with Disabilities

New West shall be fully inclusive in providing all special needs students with a free and appropriate education (FAPE) in a least restrictive environment as an integral part of New West's educational culture (see *General Provisions of the Charter. XV. Special Education*). New West's approach to special education shall be an extension of the school's mission to have "a personal learning environment that both encourages and challenges each student according to his or her ability through differentiated instruction within an integrated curriculum" (see *Mission Statement*). New West shall have a full service special education program based on the following values and goals:

- New West shall embrace the diversity of students as individuals and guarantee the right of each student to equity and access to New West's educational opportunities.
- New West shall act as the advocate of each student who requires individualized attention to participate fully in New West's educational program.
- The unique instructional needs of students shall be identified early and accurately, followed by regular, ongoing reassessments of those needs and the school's success in providing for them.

- Students with disabilities, to the greatest extent possible, shall be integrated with non-disabled peers into New West's educational environment that spans a home-school-community continuum of educational experiences, and includes the full range of academic, non-academic, and extracurricular activities.
- The individualized education plan (IEP) of each student shall focus on obtaining powerful, positive results through collaborative partnerships that involve the student, the student's parents, teachers, special education personnel, and school and SELPA administrators.
- The IEP shall be formulated in ways that allow the student with disabilities to meet or exceed New West's high standards for academic excellence, character development, and lifelong learning (see Table 2), and prepare the student to continue these skills at a college preparatory high school.
- Students with disabilities shall be taught or served by fully qualified teachers and special education personnel capable of meeting their needs.
- Regular classroom teachers shall include special education issues as a regular part of their professional development efforts in order to better identify, assess, understand, and serve students with disabilities.
- New West shall base its special education program on research and best practice, and shall have a Special Education Policy Committee to monitor and revise the school's policy and programs accordingly.
- New West shall conform to all federal and state laws in its decisions, programs, and actions to guarantee special needs students with a free and appropriate public education (FAPE).

15. Faculty Mentor Program for Student Counseling

Each student at New West shall be assigned a Faculty Mentor when the student first enrolls at the school. The Faculty Mentor shall be a full-time educator at the school. The mentor and student meet on a regular basis throughout the three years of middle school and the four years of high school to evaluate the student's progress and discuss any academic or personal difficulties that the student may be having. The Faculty Mentor closely monitors the development of each student while at the same time serving as an advocate who the student can trust to discuss problems and prospects that may arise at school.

16. Instructional Time, Daily Class Schedule, and School Calendar

New West shall exceed the minimum legally permissible amounts of instruction during each school year for each of the grades 6-12:

- 180 days [Education Code 46200].
- 54,000 minutes [Education Code 46201(a)(3)(C) and 47612.5(a)(1)].

Providing that these minimal requirements are met, New West reserves the right to determine the length of its school year, the length of its school day, the total number of instructional days, the total number of its instructional minutes, the hours of its daily operation, and other parameters of its instructional calendar to best fulfill its educational program in the best interests of its students. The final school calendar, daily instructional schedule, and program for extended day activities shall be set before the beginning of each school year.

New West anticipates modeling its school calendar after the LAUSD LEARN Instructional School Calendar to be consistent with other schools of the Palisades

Complex. The calendar has 180 instructional days with 380 instructional minutes four days each week and 260 minutes one day each week for a total of 63,840 instructional minutes per school year. Additionally, provided resources and/or volunteers are available, New West envisions extended day, after-school enrichment, extracurricular, and remedial instruction activities lasting 60-180 minutes depending on the activity and daily school schedule. The calendar includes 9 “pupil free days” scattered throughout the year and 38 “pupil free afternoons” on Wednesdays when students are dismissed 140 minutes early. This pupil free time can be used by New West’s instructional staff for classroom preparation, curriculum development, professional development, staff meetings, and other activities relevant to the school’s educational program.

The daily class schedule anticipated for New West will have school beginning at about 8:00 AM and ending at about 3:30 PM except for early (about 1:00 PM) dismissal on Wednesdays. The morning session will be devoted to core curriculum in reading and language arts, mathematics, science, and history and social science taught in the student’s home classroom. There will be a 30-minute lunch recess and several 10 minute between-class breaks throughout the day. The afternoon session will have three 50 minute class periods for teaching a variety of courses that will be scheduled from one to four times each week. Some of the afternoon classes will be required of all students (i.e., physical education and computer science) and others will be scheduled and staffed to best meet the needs of individual students (i.e., world languages, visual and performing arts, enrichment classes, remedial classes in the core curriculum subjects, advanced classes for gifted students, and English language development for English language learners). An after school, extended day program will offer a variety of learning opportunities that complement and supplement the school’s basic educational program. Some of these extended day classes may be required of certain students (e.g., remedial instruction for low-achieving students or English language classes for English language learners) but most will be optional (e.g., enrichment “Master Classes” such as music, art, or languages taught by scholars-in-residence, extracurricular activities such as computer club, chess club, or drama supervised by scholars-in-residence, or athletic activities). New West will also make its facilities available after school for school related activities such as homework and class projects. Meetings between teachers and students for the Faculty Mentor Program will probably also be conducted during after school hours.

17. Attendance

New West shall develop an attendance policy that maximizes both student learning and the revenues available for the school’s education program based on average daily attendance (ADA) rates. Regular, continuous attendance shall be one of the school’s academic expectations of its students. Suspension or expulsion of students with continued attendance problems shall be governed by New West’s discipline policy that includes counseling of students and parents, progressive intervention and remediation, and due process procedures (see *General Provisions of the Charter: Section XIII.J. Discipline Policy including Suspension or Expulsion of Students*).

New West shall develop an attendance accounting system that complies with all state laws and regulations applicable to charter schools regarding attendance records, attendance reports, attendance audits, and ADA accounting, auditing, and certification for the purpose of apportioning school funding. New West shall maintain written contemporaneous records that document all student attendance and shall make these records available for audit and inspection [Education Code 47612.5(a)(2)]. The Fiscal Manager/Assistant Director is responsible for programmatic as well as day-to-day management of all attendance functions for New West. Student attendance is recorded daily by hand on attendance cards filled out by classroom teachers. Administrative staff

then transfers attendance information from the daily attendance logs to the school's student information system as part of each student's permanent record. The hand written daily attendance logs are archived for future auditing purposes. The student information system is used to generate attendance summaries and reports required for school funding apportionments or other uses (see *General Provisions of the Charter: Section XIII.A.23. Student Information System*). New West shall develop its attendance reporting system prior to the school commencing instructional operations based on the policies, practices, and procedures used by other charter schools.

18. Grading System and Report Cards

New West shall have a grading system and report cards as a means of monitoring student progress toward achieving the school's desired classroom-level, grade-level, and exit outcomes, and as a means of communicating levels of achievement to students and their parents. The report cards shall reflect:

- Progress at each grade level toward meeting New West's graduation standards for academic excellence (critical thinking and core academics), character development (personal qualities), and lifelong learning (interpersonal and life skills) as described in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.
- Competency with respect to grade-level state content standards for the core curriculum in reading and language arts, mathematics, history and social science, and science as adopted by the State Board of Education pursuant to Education Code Section 60605 [Education Code 47605(c)(1)] (see "Core Academics" in Table 2).
- Competency with respect to grade-level state content standards for the supplemental enrichment curriculum in world languages, visual and performing arts, and physical education and health (see "Core Academics" in Table 2).
- English language development (ELD) scores that measure the achievement of English language learners toward English language competency.
- Progress in remedial study for low-achieving students participating in the schools intervention program.
- Performance with respect to world languages, visual and performing arts, information sciences, physical education and health, and other individualized parts of each student's curriculum.
- Development grade-level appropriate work and study habits as well as learning and social skills.
- Evaluation of the community service component of each student's educational program.
- Recognition for participating in enrichment and extracurricular activities.
- Modifications appropriate for students with identified special needs as recommended by the student's IEP Team.

New West anticipates adopting the LAUSD elementary grading system in which academic achievement scores indicate progress toward meeting school and state learning standards (e.g., 1=not proficient, unable to meet the standard; 2=partially proficient, partially meets the standard, 3=proficient, meets the standard; 4=advanced, exceeds the standard). Students will also be graded for their effort toward meeting academic achievement standards (e.g., 1=poor; 2=inconsistent; 3=consistent; and 4=strong). The same four-level assessment will be used for reporting work and study habits and for learning and social skills. English language learners will be graded in their advancement

toward meeting state ELD standards in reading, writing, listening, and speaking (e.g., 1= limited progress; 2=partial progress; 3=average progress; 4=advanced progress; 5=met ELD standards). The assessment instruments used to determine student scores are given in Table 2 under *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*.

New West anticipates issuing report cards four times per year (see Proposed Instructional School Calendar in Appendix VI). The first reporting period, which will cover only four weeks of classes (18 school days), will allow early identification of low-performing and high-performing students who will require differentiated instruction to best meet their education needs. The second reporting period will end before the Winter recess (52 school days), the third reporting period will end before Spring Recess (52 school days), and the fourth reporting period will cover the end of the school year (58 school days).

19. Student Promotion and Retention Policies

New West will establish a baseline performance level for each student, upon admission to the school, based upon, but not limited to, standardized test scores from the last grade attended before entering New West (usually grade 5), student transcripts from the previous year (usually grade 5), testimonials submitted on behalf of the student, and grade 6 classroom proficiency testing of review materials that will take place at New West during the first weeks of school that comprise the first, early evaluation period upon which the first report card is based. This baseline will become part of the student's permanent record.

New West's policy regarding the promotion and retention of pupils shall be compatible and integrated with state standards. New West promotion standards shall be compatible with the entrance expectations of Palisades Charter High School, as well as other local public, private, and parochial high schools, to create a seamless matriculation to the next level of education. New West's promotion standards shall be based on progress toward attaining the skills, knowledge, and attitudes discussed in the next section under *Measurable Student Outcomes*. Measures for evaluating student progress towards New West's graduation standards are discussed below under *General Provisions of the Charter: Section XIII.C. Methods for Assessing Student Outcomes*. New West shall not endorse or practice a policy for grade-level advancement based on "social promotion."

New West's promotion and retention policy will be modeled after the basic elements specified in Education Code Section 48070.5. The policy shall include but not necessarily be limited to the following key points:

- The student's teacher(s) and Faculty Mentor will base the criteria for promotion and retention on a combination of statewide achievement tests (CST and CAT-6), student classroom grades accounted for in report cards, written evaluations and testimonials, and other authentic indicators of academic achievement as indicated in Table 2.
- With respect to standardized achievement tests, the required levels of proficiency set by New West for promotion to the next grade level will meet the minimum levels required for satisfactory performance established by the State Board of Education.
- Levels of proficiency in reading and language arts, and mathematics, will be given the greatest weight in determining whether to promote or retain students.
- All student records will be accessible for inspection by request from a student's parents.
- Students at risk of being retained will be identified as early in the school year as practicable to allow the greatest amount of time possible for intervention and

remediation of weaknesses (e.g., as indicated on the Instructional School Calendar in Appendix VI, the first report card of the year will be issued after just 18 days of school).

- The parents of students at risk of being retained will be notified as early in the school year as practicable and they will be given the opportunity to consult with the educators who will be responsible for the decision to retain or promote.
- There will be a process available to parents to appeal the promotion or retention of students with the burden on the parents to show why the school's decision is in error.
- Intervention and opportunities for remedial instruction will be provided to students who are recommended for retention or who are identified as being at risk for retention.

20. Professional Development for Educators

Professional development, which can be simply described as a lifelong commitment to professional competency, shall be a cornerstone in the educational foundation of New West. New West shall have the expectation that its educators be enthusiastic about professional development just as the school has the educational objective for its students to become self-motivated, competent, lifelong learners. Continued, sustained professional development and advancement shall be important criteria in yearly evaluations of the instructional staff with regard to salary and promotion.

New West shall make appropriate allocations in its instructional calendar to provide time for professional development. The modified LEARN calendar and the daily instructional schedule that New West anticipates adopting includes nine pupil free days and 38 Wednesdays afternoons for professional development activities. The Director/Principal and the Staff Development Committee of the Governance Council shall be responsible for planning and monitoring professional development activities of the school's instructional staff. Faculty will be encouraged to attend professional conferences, to schedule on-campus workshops and seminars, to confer with other middle school educators, and to meet with elementary and high school faculties to address seamless transitions between schools. Professional development will include time and opportunity for New West faculty to learn about new curricular materials that are adopted for use by the school. Most important, however, is for New West to provide time for its teachers to engage in critical reflection, to learn about pertinent educational issues, and to collaborate with colleagues through formal and informal discussions that will sustain the school's reform efforts. It is through professional development that new teaching methods, new educational interventions, and new innovative programs will be implemented and integrated into New West's educational program.

21. Accountability for the Educational Program

New West's Curriculum and School Programs Committee, which shall have administrators, teachers, and parents as members, shall be accountable for the development of the school's educational program (see *General Provisions of the Charter: Section XIII.D.4. Governance Council Committees*) including selection of books and curricular materials (see *General Provisions of the Charter: Section XIII.A.7. Instructional Materials*), measurable student outcomes (see *General Provisions of the Charter: Section XIII.B. Measurable Student Outcomes*), and methods for assessing student outcomes (see *General Provisions of the Charter: Section XIII.C. Methods for Assessing Student Outcomes*). New West may rely on the experience of its educators and parents, the educational literature, visits to other schools by the Educational Study Panel, and advice of educational experts and consultants, including instructional experts of the CDE, as may

be appropriate to provide guidance about various aspects of the school's educational program. The Governance Council shall have final authority to approve all aspects of the educational program including all material revisions to the educational program that may be required over time.

22. Transportation

New West shall not be responsible for providing transportation between students' homes and the school's campus. Transportation for New West students with special education needs shall be provided as allowed by the applicable SELPA (see Table 3 under *General Provisions of the Charter: Section XV.B. Special Education Policies, Procedures, and Practices*). The cost of transporting LAUSD Permits with Transportation (PWT) students to New West shall be the sole responsibility of the LAUSD. New West shall work cooperatively with the LAUSD in recruiting PWT students from selected schools in a way that maximizes the number of PWT students but minimizes the transportation costs to the district.

23. Student Information System

New West shall maintain a computerized Student Information System (SIS) to manage all student records including enrollment information, demographic information, emergency information, attendance, class schedules, grades, report cards, state standardized test results, disciplinary actions, and any other information that may be relevant about student activity at the school. The SIS provides data that can be used in a variety of ways including evaluation of student academic progress, ADA accounting, school surveys, the annual programmatic audit, and retrospective studies and prospective projections that may relate to the operation of the school and its academic programs.

24. Matriculation to High School

Students graduating from New West will be prepared in terms of academic excellence, character development, and life-long learning skills to continue their education at a rigorous, college preparatory high school. It is anticipated that most New West graduates will matriculate to New West's high school, the Renaissance Academy, or Palisades Charter High School in the LAUSD as either neighborhood residents or charter students. Other students will continue at the public school nearest their home (e.g., University High School in the LAUSD or Santa Monica High School in the Santa Monica-Malibu Unified School District), at a local parochial school (e.g., St. Monica Catholic High School in Santa Monica), or at one of the many local private schools (e.g., Archer School, Brentwood School, or Crossroads School). Acceptance at any of these public, parochial, or private schools is dependent on the specific and enrollment policies of those schools.

Palisades Charter High School, a large LAUSD campus, recently attained its independent charter status from the LAUSD. Additionally, The Renaissance Academy, a new, small, independent, high school chartered by the LAUSD, plans to open its doors in the Pacific Palisades area. New West will negotiate with both of schools to allow New West to serve as a "feeder school" whose 8th grade graduates are given admission preference for high school.

B. Measurable Student Outcomes

New West shall require that students graduating from grade 8 will have attained the general goals for academic excellence, character development, and life skills that are outlined below in *Table 2: Student Exit Outcomes and Assessment Methods*. More specifically, with respect to academic excellence, measurable student outcomes (graduation standards) at New West shall include competency in the school's rigorous core curriculum that shall be aligned to

state content standards for reading and language arts, mathematics, science, and history and social science as adopted by the State Board of Education pursuant to Education Code Section 60605 [Education Code 47605(c)(1)] (the state standards for each content area are identified in *General Provisions of the Charter: Section XIII.A.6. Core Curriculum*). These graduation standards shall be compatible with entrance expectations at New West's high school, the Renaissance Academy, Palisades Charter High School, and other local public, private, and parochial schools.

The school's desired exit outcomes (i.e., Table 2) and the state's mandated content standards are the primary factors that drive curricular development at New West. Accordingly, over time, New West's curriculum will evolve incrementally as the school refines its student outcomes and adjusts to any changes in state content standards that may become applicable to charter schools.

New West's graduation standards presume the satisfactory progress of students through a continuum of skill and grade levels. Accordingly, New West's exit outcomes will be further subdivided into a list of the specific content and "classroom-level" skills that are taught in each subject area and grade. These specific grade and skill-level criteria will be based on the California grade-level state content standards for reading and language arts, mathematics, science, and history and social science. Additionally, there will be a similar breakdown of "benchmark" skills (i.e., promotion standards) that students must demonstrate at various points throughout their enrollment at New West to progress to each consecutive grade or skill level. These specific classroom-level and benchmark skills will be incorporated into New West's report cards (see *General Provisions of the Charter: Section XIII.A.18. Grading System and Report Cards*). Methods for assessing the exit outcomes and successive subject area/grade level criteria in measurable terms are outlined in the next section (see *General Provisions of the Charter: Section XIII.C.1. Evaluating Student Performance*).

Exit outcomes, grade-level content, criteria for classroom-level skills, and benchmark standards for students with special needs will be adapted as appropriate according to a student's Individualized Educational Program. Additionally, New West will adopt reading and language arts standards for students with limited English proficiency (LEP) consistent with the English Language Development standards mandated by state law [Education Code 60811].

Table 2. Student Exit Outcomes and Assessment Methods. Assessment methods: ST=standardized tests, P=portfolios, OE=observation/evaluation, SE=self-evaluation, IC=in class tests and quizzes, GP=group projects, CS=community service, STPS=student, teacher, parent surveys.

Exit Outcomes for Students Graduating from New West's Middle School and High School	Assessment Methods
<p>ACADEMIC EXCELLENCE</p> <ul style="list-style-type: none"> • Critical Thinking <ul style="list-style-type: none"> – <u>Observational Skills</u>: Students will demonstrate their ability to see and convey findings using all their senses, to consider their audience and choose appropriate communication mediums, and to recognize the depth and breadth needed to get their message across effectively. – <u>Analytical and Reasoning Skills</u>: Students will demonstrate their ability to analyze information and provide accurate details in an 	<p>ST, P, OE, SE, GP</p> <p>ST, P, OE, SE, IC, GP, CS</p>

Exit Outcomes for Students Graduating from New West's Middle School and High School	Assessment Methods
<p>helping people in need.</p> <ul style="list-style-type: none"> – <u>Trustworthiness</u>: Students will build a good reputation by being honest, reliable, and loyal, and having the courage to do the right thing. – <u>Fairness</u>: Students will demonstrate fairness by being open-minded, listening to others, not taking advantage of others, not blaming others carelessly, and by playing by the rules, taking turns and sharing. – <u>Responsibility</u>: Students will always do their best and demonstrate accountability for their choices by doing what they are supposed to do, persevering, using self-control, being self-disciplined, thinking before they act and considering the consequences. – <u>Adaptability</u>: Students will demonstrate their ability to embrace change, challenge assumptions, consider different angles, make speculations about all sorts of possibilities, and fully pursue their natural curiosity. – <u>Creativity</u>: Students will demonstrate their ability to use their imagination to create visionary ideas, consider “What if . . . ?” scenarios operate from their “gut” level and make remote connections between seemingly unrelated ideas or things. – <u>Citizenship</u>: Students will demonstrate good citizenship by doing their share in making their school, community, and larger society better by cooperating with others, staying informed and voting, being a good neighbor, obeying laws and rules, respecting authority, and protecting the environment. 	<p>OE, SE, CS, GP, STPS</p> <p>OE, SE, STPS</p> <p>OE, SE, CS, GP, STPS</p> <p>P, OE, SE, STPS</p> <p>P, OE, SE, STPS</p> <p>OE, SE, CS, GP, STPS</p>
<p>LIFELONG LEARNING</p> <ul style="list-style-type: none"> • Interpersonal Skills <ul style="list-style-type: none"> – <u>Team Player</u>: Students will participate effectively in a team, demonstrating their ability to share responsibility, divide work and to make an individual contribution to group efforts. – <u>Teaching</u>: Students will demonstrate an individual ability to teach others. – <u>Leadership</u>: Students will demonstrate their ability to communicate ideas effectively to justify their position, persuade others, and responsibly challenge existing procedures and policies. – <u>Negotiation</u>: Students will demonstrate their ability to work toward agreements involving the exchange of resources and 	<p>OE, SE, STPS</p> <p>OE, SE, STPS</p> <p>OE, SE, STPS</p> <p>OE, SE, STPS</p>

of students who require, for example, differentiated gifted instruction or remedial intervention in the form of in-class attention or after-school tutorials. The standardized performance assessments will be repeated in the Spring during the fourth reporting period to assess student progress and identify students who may require remedial instruction during the summer.

New West, in designing and implementing its student assessment program, will use established scoring criteria and cross-validation of different measures and different evaluators to enhance the validity, reliability, and objectivity of non-quantitative assessment measures of student work such as portfolios and subjective evaluations by teachers. Likewise, in evaluating the more subjective outcomes such as citizenship and leadership, New West will adhere to school-wide rubrics that can be applied as fairly and consistently as possible to all of the school's students. However, since many educational experts regard such rubrics as faulty and unreliable, New West will constantly monitor the efficacy of its non-quantitative measures for assessing student outcomes.

Individual classroom teachers shall be primarily accountable for assessing their students' achievements with regard to classroom-level work and state content standards. Teachers will be given time to meet on a regular basis to review student work and discuss the efficacy of the curriculum-based performance assessments. Faculty Mentors, who shall consult with the teachers who are most familiar with a student's work, will be primarily responsible for grade-level assessments and progress toward fulfilling the skills, knowledge, and attitudes required for graduation. Teachers and Faculty Mentors may request other participants in a student's educational program to provide grades, evaluations, or other assessments as may be appropriate for their instructional role. Teachers will be given time to meet on a regular basis to review student work and to establish performance standards.

Student progress toward achieving the school's desired classroom-level, grade-level, and exit outcomes will be communicated to students' parents by means of report cards and regular conferences with the student's teachers and Faculty Mentor. The exact format of the classroom-level and grade-level assessment tools, and parent-mentor conferences will be developed by New West educators prior to the school commencing instructional operations. The grading system and report cards are described above under *General Provisions of the Charter: Section XIII.A.18*.

Assessment methods for students with special needs will be adapted as appropriate according to a student's Individualized Educational Program. Additionally, New West will administer the English Language Development test to assess the English fluency of all students whose primary language is not English [Education Code 60810]. New West's Director/Principal and its Student Success Committee of the Governance Council will be available to explore solutions to problems or situations that may interfere with an individual student's ability to attain the skills, knowledge, and attitudes expected of New West students.

2. Statewide Standardized Assessments

New West shall administer to its students all tests required by state law that are applicable to charter schools. New West shall administer, in the same manner as other public schools, the statewide student assessments that are part of the Standardized Testing and Reporting Program (STAR) pursuant to Education Code Section 60605 [Education Code 47605(c)(1)]. New West shall certify, as a condition of apportionment of state funding [Education 47612.5(a)(3)], that its students have participated in the state testing programs that may be required in the future under the STAR Program [Education

Code 60600 et seq.]. Currently, these state-wide standardized tests are the California Standards Test (CST) and the California Achievement Test (CAT-6).

New West will use CST results as one of the multiple measures for assessing individual student achievement. New West will require that students meet the minimum levels for satisfactory performance established by the State Board of Education for promotion to the next grade. CST results will also be one factor in determining whether students are eligible for New West's remedial or gifted instructional programs. The results of standardized tests shall not be used as the basis for assigning grades in any content area on a student's report card.

New West anticipates using a second standardized testing procedure, such as STEPS, for the purpose of cross-validation with the CST and CAT-6 to better characterize student strengths and weaknesses. New West will continue over time to examine and refine its methods for assessing student outcomes to reflect the school's mission and any changes in statewide student assessments authorized in statute that may become applicable to charter schools.

3. Evaluating School Performance

The primary measures of New West's overall school performance shall be the CST average tests scores and the Academic Performance Index (API), which is a key part of the Public Schools Accountability Act of 1999 [Education Code 52056(a)]. The API is a single numeric score between 200 and 1000 that reflects a school's overall annual performance on the CST. The API score is used to assign a decile ranking that summarizes each school's performance relative to all schools statewide and to the 100 schools with the most similar demographic characteristics. API scores and rankings are also disaggregated for numerically significant subgroups of a school's student body based on gender, ethnicity, and socioeconomic status. The State Board of Education has adopted an API of 800 as the interim statewide target indicating a high level of performance to which all schools should aspire.

New West shall use the API as its principal external benchmark to track the success of the school's educational efforts from year to year in comparison with other middle schools. Besides striving for the highest possible "all schools" and "similar schools" API ranking, New West will compare itself to the local public middle schools with which it most directly "competes." These "all school," "similar school," and "local school" comparisons will include analyses by numerically significant demographic subgroups (i.e., gender, ethnicity, and socioeconomic status). The school API and subgroup API's for New West and local middle schools will be tracked longitudinally (i.e., evaluate the same-aged student cohorts at the successive grade levels) and cross-sectionally (i.e., evaluate successive student cohorts passing at the same grade level). Additionally, New West will analyze the school's classroom and grade-level CST and CAT-6 results and content cluster results. These analyses will be used to determine if New West's educational program is working equally well in all content areas for all groups of students or if some adjustments are required.

New West shall hold itself accountable for meeting the annual API growth targets established by the State Board of Education for the school as a whole and for each numerically significant subgroup of students. The annual growth target is 5% of the difference between the school's API and the interim statewide performance target of 800. To be in compliance with statewide performance expectations, New West must meet 80% of the established API growth targets for each of the numerically significant subgroups. New West anticipates it will compete for the Governor's Performance Award Program for schools that meet or exceed their API growth targets. However, if New West should fail to

meet its API growth targets, then the school shall convene its Curriculum and Schools Program Committee, its Educational Study Panel, and its Governance Council to develop a plan for improvement of student performance that exceeds the API targets for improvement by under-performing schools.

New West expects to be a high-performing school. However, as a start-up charter school, New West does not have readily available baseline data on student performance to use as a control when evaluating the success of the school's overall performance in educating its students during its first few years of operation. Moreover, with admission open to any student who applies, New West does not have any reliable, a priori information as to the achievement levels of the students who will enroll from year to year. Accordingly, New West shall make special efforts to evaluate and document objective levels of academic performance when students first enroll in New West (see *General Provisions of the Charter: Section XIII.A.19. Student Promotion and Retention Policy*).

The primary baseline data for entering students will be their history of standardized CST scores. From the students' grade 5 test results, New West will use established formulas to calculate overall and subgroup API scores for incoming grade 6 students. This baseline information on entering students will allow for an assessment of how successful New West is in building on the prior academic development of students who will come from a variety of elementary school settings.

D. Governance Structure

1. Governance Council

a. Duties

New West shall have a 15 person Governance Council that shall be the chief decision-making body for the school. As specified in the following section, the Governance Council shall have 10 members who are not employees of the school and 5 members who are employees of the school. The employee members of the Council shall be permitted to participate and vote on all matters except those involving personnel, employment policies, financial matters affecting salaries and benefits, and other issues where there may be a conflict of interest.

The Governance Council shall also serve as the Board of Directors of New West, the California Nonprofit Public Benefit Corporation that operates the school. New West employees, including the Director/Principal, the teachers, and the non-instructional staff, may serve on the Governance Council (Board of Directors) and as corporate officers as allowed by New West's Corporate Bylaws and laws governing California nonprofit public benefit corporations. The Governance Council shall be governed in its operations and its actions by the Corporate Bylaws of New West Charter School, which shall be consistent with the terms of the Charter, the Charter Schools Act, and all other applicable laws.

The Governance Council shall have sole authority, consistent with the SBE conditions of approval and the oversight agreement between the SBE and New West, for all aspects of the school's operation and educational program including, but not limited to, the development and implementation of policies related to curriculum, enrichment and extracurricular educational activities, student evaluation, personnel, professional development, budget and finance, facilities and maintenance, admissions, scheduling, community relations, classroom usage, use of the school site, safety, discipline, proposals for charter revision and renewal, dispute resolution, and interactions with the SBE.

The Governance Council shall be responsible for electing the Officers of the Corporation as allowed by the Corporate Bylaws. These officers shall be:

- President (Executive Officer), who shall normally be the Director/Principal.
- Secretary, who shall normally be the chief administrative assistant.
- Chief Financial Officer, who shall normally be the Fiscal Manager/Assistant Director.
- Chair of the Governance Council, who shall be elected from the voting members of the Governance Council.

The Governance Council shall employ the necessary administrative staff and vest those staff with the authority necessary to operate the school in accordance with the Charter.

The Governance Council shall operate according to New West's Corporate Bylaws. In general, the Governance Council will conduct its business by consensus but shall employ Robert's Rules of Order and take formal votes on issues as the need arises. The transaction of any business, except adjournment, shall require a quorum defined as at least one-half of the 15 Governance Council positions listed below under *General Provisions of the Charter: Section XIII.D.1.b. Membership* (i.e., 8 representatives), including alternate representatives who are filling in for an absent representative at a Governance Council meeting. The Governance Council shall conduct its business on the basis of published agenda and keep appropriate records of all its actions. All teachers, parents, and community members are encouraged to attend Governance Council meetings but only voting members of the Governance Council can vote. The Governance Council shall normally meet monthly but may convene more frequently as necessary to conduct its business. The Governance Council is subject to all laws that govern open meetings, public records, and confidentiality (see *General Provisions of the Charter: Section XVII. Open Meetings, Public Records, and Confidentiality*).

Elected alternate representatives, only when filling in for an absent Governance Council representative, shall have the right to participate in all council business except matters pertaining to any revision of the corporate bylaws and any nomination, appointment, or election of Governance Council members by the Governance Council itself as may be allowed by the corporate bylaws.

Members of the Governance Council, including alternates, shall excuse themselves from participating in discussions and decisions about matters that may involve actual or potential conflicts of interest (see *General Provisions of the Charter: Section XVIII. Conflict of Interest Policy*). Such conflicts may arise whenever a council member may either receive some advantage or suffer some disadvantage because they have personal, business, or monetary interests in a matter before the Governance Council. Governance Council members shall either excuse themselves voluntarily or be excused by a majority of voting representatives if the Governance Council determines that there is an actual or potential conflict of interest, which may be brought to the attention of the Governance Council by any person.

b. Membership

The Governance Council shall include 15 voting members and 9 alternate members representing the school's various constituencies as follows:

- The Director/Principal, who shall be appointed by the Governance Council and who will have the Fiscal Manager/Assistant Director serve as her/his alternate.

- Three Founders and two alternate Founder representatives, who shall be elected from and by the founding parents of the school. The Founder representatives shall be voting members of the Governance Council.
- Three parents and two alternate parent representatives, who shall be elected from and by parents whose children are enrolled in the school.
- Three teachers and two alternate teacher representatives, who shall be elected from and by the credentialed, full-time teachers employed at the school.
- One staff employee and one alternate staff representative, who shall be elected by the full-time non-instructional employees of the school.
- The Chair of the New West Committee Council (NWCC), who will have the NWCC Co-chair serve as her/his alternate. The Chair and Co-chair of the NWCC shall be elected by committee members of the NWCC from among parents who have children enrolled in the school. The elected Chair and Co-chair shall be presented to the Governance Council for approval.
- Two community representatives, one with experience in education and the other with experience in business, and one alternate community representative with either expertise, who shall be selected by the majority vote of the Governance Council from volunteers who express an interest in the school and are not Founders, parents of children enrolled at the school, or employees of the school.
- One representative of the SBE appointed by the SBE.

The election of Governance Council members, or changes in the composition of the Governance Council, may not violate New West's Corporate Bylaws that state "interested persons" (e.g., employees or other persons compensated by New West, or their relatives) shall not constitute more than 49% of the persons serving on the Governance Council.

Elected and appointed members of the Governance Council shall serve two-year terms except for the NWCC representative, who shall serve a one-year term unless re-elected by the NWCC and approved by the Governance Council. Elections of Founder, parent, and teacher council members will alternate with one Founder, two parents, and one teacher elected one year and two Founders, one parent, and two teachers elected the next year. In the school's first year of operation, one Founder, two parents, and one teacher will be elected to one-year terms, and two Founders, one parent, and one teacher will be elected to two-year terms. Elected alternates to the council shall become full representatives if a regular member should step down during the school year. Election or appointment of Governance Council members may be done as needed at any time during the school year to replace representatives and alternates to the Governance Council. The SBE shall be notified of any change in membership of the Governance Council.

2. Executive Committee

New West shall have an Executive Committee comprised of the Director/Principal, one teacher elected yearly by and from the teachers who are members of the Governance Council, and the Chair of the Governance Council. Vacancies on the Executive Committee shall be filled immediately. The Executive Committee shall:

- Chair and set the agenda for Governance Council meetings.
- Deal with routine matters not requiring the attention of the full Governance Council or its committees.
- Refer issues to the Governance Council or its committees as may be appropriate.

The Executive Committee is meant to be operational in nature rather than a deliberative, decision-making body. It may not establish school policy or exercise the authority of the Governance Council with respect to material issues concerning the school's operation nor the terms and conditions of the Charter. The Executive Committee will normally meet weekly but may convene more or less frequently as necessary to conduct its business.

3. Advisory Board

New West may have an Advisory Board comprised of four distinguished members of the community representing the public and/or private sectors of education, business, and government. The purpose of the Advisory Board is to provide advice, expertise, and resources related to charter schools, middle school education, the SBE, fund raising, community relations, and other areas relevant to the success of the school. The Executive Committee and/or the Governance Council's committees may consult with the Advisory Board or its members when appropriate. The Governance Council shall select the Advisory Board from applications received or solicited by the school. The Advisory Board, which will be kept informed of school activities and issues on a regular basis, will meet with the Governance Council not less than once each school year.

4. Governance Council Committees

a. Role of Committees in School Governance

The work of the Governance Council normally shall be accomplished through the activities, reports, and recommendations of its various standing and ad hoc committees working through the New West Committee Council and its chair, who is a member of the Governance Council. Issues arising before the Governance Council are normally referred to the Committee Council and/or directly to an appropriate committee for consideration and the formulation of recommendations and resolutions that shall be presented in writing to the Governance Council for final approval. No committee may exercise the authority of the Governance Council. All teachers, parents, and community members are encouraged to attend any committee meeting that is of interest to them. All standing committees of the Governance Council are subject to all laws that govern open meetings, public records, and confidentiality (see *General Provisions of the Charter. Section XVII. Open Meetings, Public Records, and Confidentiality*).

b. Standing and Special Committees of the Governance Council

New West shall have a standing committee known as the New West Committee Council (NWCC), which shall be comprised of the chairs of the other standing and special committees of the Governance Council. The chair and co-chair of the NWCC, working with the council itself, shall be primarily responsible for managing and coordinating the activities of the school's various committees as well as acting as the liaison between the Governance Council and the schools committees. The Governance Council may from time to time establish and/or abolish such standing and special committees, as it may desire. The standing committees shall include but not be limited to the following functions at the school:

- Admissions and enrollment
- School calendar
- Budget, finance, and audit
- Grants and fund-raising

- Curriculum and educational programs
- Enrichment and extracurricular activities
- Special education and student success
- Facilities, maintenance, and site use
- Health and safety
- Parent resources
- Personnel and hiring
- Staff development
- Community relations
- Racial and ethnic diversity
- Dispute resolution

c. Committee Membership

The standing committees shall have both parent and teacher representation as appropriate and necessary with the mutual understanding that parents will normally carry the burden of committee work whenever possible and appropriate. Committee membership is also open to the non-instructional staff, the non-credentialed instructional staff, and community members. Committee membership and committee chairs shall be open to all interested persons regardless of Governance Council membership except each voting council member shall be on at least one standing committee. The Director/Principal shall be an *ex officio* member of each standing committee. The Chair of the Committee Council shall assure that each standing committee has a chair or co-chairs at all times who will staff the committee, organize meetings, and report to the Governance Council as necessary.

5. Parental Involvement

a. Role of Parents in Operating the School

The success of New West is dependent on local school control through shared governance between the educators and the parents who have a vested interest in the school. A meaningful partnership involves the Director/Principal and the teachers being responsive to the concerns of parents about the educational program of the school. In turn, parents have the responsibility to respect the professional experience and expertise of the Director/Principal and the teachers. While parents will be involved in all levels of decision-making at New West through their elected representatives and committee work, their primary role in operating the school will be to assist, enhance, facilitate, and extend the ability of the educational staff to conduct the school's educational activities. Such parental involvement has the significant advantage of relieving teachers from many of the administrative details of operating the school so that they can devote their time, energy, and expertise to classroom teaching, curriculum, and professional development. Parents will also continue their primary responsibility for planning, organizing, and conducting the broad range of enrichment and extracurricular activities made available to students at New West. New West shall conduct an annual parent satisfaction survey regarding the school's educational program with an emphasis on how the school might be improved to better fulfill its Mission Statement. An analysis of the survey shall be published as part of the school's annual Programmatic Performance Report (see *General Provisions of the Charter. XIII.1.2*).

b. Parent Teacher Association (PTA)

New West will encourage establishment of a school PTA chapter that is a recognized local unit of the California State PTA, a branch of the National PTA. The primary role of the PTA will be to promote educational programs, conferences, committees, projects, and programs for parents, teachers, and the general public that: (i) address the educational needs of all children and youth in the schools, (ii) assist parents in developing the skills they need to nurture children; (iii) promote parent and public involvement in schools and communities; and (iv) assist teachers in working with parents and community.

c. Home-School Contract

A central tenet of New West's philosophy is that students are best able to reach their full potential when there is a high level of involvement by their parents in their education. Moreover, research has shown that stakeholder involvement is important to the success of a program and to the satisfaction of the participants. Accordingly, part of the school's educational plan will be an agreement between parents and the school — known as the Home-School Contract — whose intent is to encourage parental involvement and cooperation that will, in turn, ensure success of the school's educational program. Such a contract is designed to empower parents with respect to their children's education by strengthening the partnership among parents, students, and teachers.

Another tenet of the school's philosophy is that parents choose to send their children to New West because they have high expectations of the school and the benefits that they and their children will receive. In turn, the school has high expectations of parents to contribute to the team effort needed to fulfill those expectations. Excellence in a charter school cannot be accomplished nor maintained without the active participation of the parents of enrolled students.

A third tenet of the school's philosophy regarding parental involvement is that diversity in the parent population is a great strength that improves the educational program for all. Parents have different philosophies and approaches to their involvement in their children's education outside of school. Likewise, parents may contribute in many different ways to the collective responsibility of running a charter school and making its educational program a success. Recognizing that each parent, like each child, is unique in terms of background, experience, and ability, parents are asked to contribute to the school's success by volunteering their skills, time, and resources to the extent that they are able above the minimum requirements of the Home-School Contract.

The Home-School Contract, which is to be signed at the beginning of each year or whenever a new student is enrolled, shall include for each family the following requirements of the parent(s) or the guardian(s) who have children enrolled in New West:

- Read the Charter to understand the educational plan of the school, the school's operation, and the roles, rights, and responsibilities of parents and their children.
- Attend a mandatory orientation meeting to learn about charter schools, the school's educational program, the Home-School Contract, and ways in which parents can contribute to the success of both their child and the school.
- Complete and return all forms, questionnaires, and other requests for information that may be required by the school as approved by the Governance Council.

- Ensure the completion of homework and class projects.
- Reinforce at home the importance of education on a daily basis and discuss with each child what was taught at school.
- Assure that each child arrives at school on time, dressed appropriately, and ready to learn.
- Understand and reinforce the Student Conduct Code.
- Attend two parent-teacher conferences each year for each child.
- Attend Back-to-School Night and Open House each year.
- Keep informed about the school by reading the school's newsletter and reading the materials distributed in the weekly folders sent home with each student.
- Attend at least two parent education evenings each year that deal with the school's curriculum, child development, parenting skills, and other topics relevant to the education of their children.
- Participate as a family in extracurricular school events such as book fairs, plays, talent shows, festivals, and fund raising activities.
- Volunteer at least eight hours per semester during school hours, weekends, or evenings to participate in a school project, event, or classroom activity in addition to the other requirements of the contract.
- Self-report their compliance with the terms of the contract using the forms provided by the school.

Agreement to the contract by parents (or guardians) shall be one of the terms of admission and enrollment each year for students who want to attend New West. The Home-School Contract shall be made available to the parents of prospective students as part of the admission application packet so that students and parents can make informed judgments whether they can fulfill the terms of the agreement. Parents of new students must return the signed contract with the other enrollment forms. For returning students, the Home-School Contract shall be made available to parents in sufficient time for the contract to be signed and returned prior to the first day of each school year. The contract shall include a form, known as the "Volunteer Sheet," on which parents will specify their areas of interest and the ways they intend to fulfill the volunteer requirement. The back of the signature page included in each student's weekly folder shall be printed with a form that allows parents to monitor voluntarily their progress in fulfilling the provisions of the Home-School Contract.

The Parent Resources Committee of the Governance Council shall be responsible for administering the Home-School Contract, counseling parents who may be substantially non-compliant, and considering exceptions in the form of reduced requirements for parents whose particular circumstances may include transportation difficulties, single-parent households, financial hardship, physical disability, employment, or other special situations. Policies regarding non-compliance with and exceptions to the Home-School Contract shall be equally and consistently applied to all parents in a manner that is nondiscriminatory, provides due process protections, and preserves the privacy and confidentiality rights of students and parents. Disputes involving the Home-School Contract shall be mediated first by the Parent Resources Committee before involving the school's dispute resolution procedures.

E. Staff Employment

All persons working at the school shall be employees of the Nonprofit Public Benefit Corporation known as New West Charter School (see *General Provisions of the Charter: Section VIII. Legal Status of the School*). The New West Governance Council, whose members also serve as the corporation's Board of Directors, and the school's Personnel Committee shall have sole authority for making all decisions about the employment of all persons working at the school. These responsibilities include establishing job descriptions, qualifications, and selection procedures, determining the terms and conditions of employment including salary and benefits, interviewing and hiring personnel, determining job assignments, and evaluating, promoting, and terminating the school's employees.

New West personnel shall not be employees of any school district, although school district personnel may elect to take a charter school leave if allowed by their collective bargaining agreements and/or district personnel policies (see *General Provisions of the Charter: Section XIII.M. Leave of Absence to Work at a Charter School*). New West personnel will not be covered by any collective bargaining agreements between any school district and its employee unions, although New West employees have the right to join or form employee organizations (see *General Provisions of the Charter: Section XIII.O. Employee Collective Bargaining Rights*). A school district shall not require any of its employees to work at New West [Education Code 47605(e)].

All new employees of the school and all employees of any entity that has a contract with New West who will have any contact with the school's students must submit to a criminal background check including the submission of fingerprints for the purpose of obtaining a criminal record summary as described in Section 44237 of the Education Code [Education Code 47605(b)(5)(F) & 45125.1(a)]. The person being investigated shall pay the costs of fees and processing charges related to the criminal background check and fingerprinting. The Director/Principal shall be responsible for ensuring that the providers used by the school to do the criminal background check and fingerprinting meet the standards of the California Department of Justice. No person who has been convicted of a violent or serious felony shall be hired by New West or employed by any entity on a contract basis to work at the school site [Education Code 44830.1(a), 45122.1(a), & Sections 45125.1].

1. Director/Principal

The Director/Principal of New West shall be the chief academic and financial officer responsible for both day-to-day and long-term operation of the school. The broadly defined duties of the Director/Principal shall include but not be limited to the following:

- Implement the Charter and its philosophies and practices.
- Participate in the governance of the school.
- Oversee the school's curriculum and academic policies.
- Prepare and manage the school's budget.
- Supervise the preparation of the annual Financial Audit and Programmatic Performance Report.
- Represent the school in fund-raising efforts including grant applications and solicitations for support from private and public entities.
- Interact with the SBE, local private and public schools, charter school organizations, and the community on matters related to the school's operation and educational program.

- Serve as an ombudsperson to investigate, mediate, or otherwise resolve complaints and problems that may arise between students, teachers, staff, parents, and community members.
- Evaluate the job performance of all school employees on a yearly basis.
- Communicate with all stakeholders on a regular basis.
- Manage the school on a daily basis.

a. Qualifications

The Governance Council shall determine the qualifications of the Director/Principal based on the school's needs at the time it is necessary to fill the position. In general, New West will expect its Director/Principal to have the following abilities, experiences, and attitudes:

- Bachelor of Arts, Bachelor of Science, or equivalent degree.
- Obtained or working toward an advanced graduate degree.
- A visionary who is on the cutting edge of educational reform.
- Creative and innovative in his/her approach to education.
- Fluent with current educational theory and curriculum development.
- Knowledgeable about and supportive of charter schools.
- Demonstrated leadership and decision-making skills.
- Demonstrated managerial skills to include goal setting, budget control, team building, and corrective action.
- Demonstrated ability to collaborate with parents, students, staff, and the community.
- Demonstrated teacher advocacy skills.
- Demonstrated accountability and communication skills.
- Ability to demonstrate skills in utilizing "broad vision."
- Demonstrated ability to work with special education, low achieving, and gifted/talented students.
- Specific abilities to fulfill the Director/Principal duties described above.

b. Selection

The Governance Council shall determine the selection process for hiring a new Director/Principal. The Governance Council may take into consideration the established policies and procedures of various school districts for selecting principals but shall not be bound by them.

c. Evaluation

The Governance Council shall conduct written performance evaluations of the Director/Principal on an annual basis. Part of the evaluation shall be based on progress toward meeting specific goals established each year for the Director/Principal by the Governance Council. The Governance Council shall provide an opportunity for comments from parents, teachers, staff, and community members as part of its information gathering process.

2. Teachers

Teachers shall be primarily responsible for developing, planning, and implementing the school's educational program in the classroom. In addition to their classroom instructional role, the broadly defined duties of the teachers shall include but not be limited to the following:

- Understand the Charter and its philosophies and practices.
- Participate in the governance of the school.
- Involve themselves individually and collaboratively in professional development activities that advance their skills, knowledge, and attitudes in the best interests of themselves, their students, and the school.
- Work with the school's varied stakeholders in support of the home-school-community continuum of educational culture that the school holds as one of its central tenets.
- Participate in the school's fund-raising activities including grant applications and solicitations for support from private and public entities.
- Serve as the advocate of their students in promoting a learning environment that allows each student to fulfill their potential in terms of academic achievement and social development.

a. Qualifications

All teachers employed at New West who are primarily responsible for classroom instruction in the core academic areas of reading and language arts, mathematics, science, and history and social science shall be required to hold a Commission on Teacher Credentialing Certificate, permit, or other document equivalent to that which a teacher in other public schools would be required to hold by state law [Education Code 47605(1)]. These documents, which shall be provided by prospective employees at the time they apply for work at New West, shall be confirmed for validity by the Director/Principal before a teacher is hired. Teacher credentials shall be maintained on file at the school and shall be subject to periodic inspection by the SBE. New West will provide the SBE with copies of credentials whenever a new teacher is hired or there is a change in the credentials of a currently employed teacher (e.g., a teacher changes from emergency to full certification).

In general, New West will expect its teachers to have the following abilities, experiences, and attitudes:

- Bachelor of Arts, Bachelor of Science, or equivalent degree.
- Demonstrated excellence as a teacher including knowledge of the subject matter they teach.
- Creative and innovative in his/her approach to education.
- Fluent with current educational theory and curriculum development.
- Knowledgeable about and supportive of charter schools.
- Ability to work collaboratively with other educators in interdisciplinary units.
- Desire to work with parents and community members to strengthen the home-school-community union to envelop students with a continuum of educational culture.
- Willingness to be responsible and accountable for the performance of their students.
- Ability to present materials in ways that attract and hold students' attention.

- Understanding of different student learning styles and how to adapt their teaching styles to them.
- Ability to assess student growth in a variety of ways (e.g., standardized tests, classroom exams, presentations, projects, and portfolios).
- Ethical and compassionate behavior with respect to their interactions with students especially but also parents, other educators, and community members.
- Demonstrated ability to work with special education, low achieving, and gifted/talented students.
- Specific abilities to fulfill the teacher duties described above.

b. Selection

A Teacher Selection Committee shall be appointed by the Governance Council to interview, evaluate, and select each new teacher to be employed at New West. The committee shall consist of the Director/Principal, teachers, and parents.

c. Evaluation

The Principal/Director shall evaluate teachers annually, the results of which shall be shared with the Personnel Committee and summarized for the Governance Council. New West shall develop a written teacher assessment tool based in part on the California Standards for the Teaching Profession (California Commission on Teacher Credentialing, 1997). Part of the self-assessment tool will reflect a set of Professional Standards that New West will formulate to make explicit the expectations of teachers to support and implement the goals and objectives of the Charter. Other parts of the teacher assessment tool will include self-evaluation, peer-evaluation, and opportunity for comments from parents, staff, and community members. Teachers shall be required to maintain a Professional Growth File that documents all evidence of professional growth and excellence including in-service classes, courses, conferences, committee work, peer coaching, curriculum development, and pupil progress.

3. Non-Credentialed Instructional Staff

The Personnel Committee, in collaboration with the Director/Principal, shall be responsible for supervising the non-credentialed instructional staff needed to carry out the school's educational program. The non-credentialed instructional staff may include, but are not limited to the following positions: teaching aides; art and music instructors; world language instructors; physical education and health instructors; remedial, gifted, and talented instructional specialists that work under the supervision of credentialed teachers; instructors for enrichment, extracurricular, and community service activities; and Scholars-in-Residence. Some of these non-credentialed staff members will normally hold part-time or full-time paid positions, others may be retained on a contract basis, and others will be volunteers, depending on the needs and resources of the school.

New West shall have the flexibility intended by the Legislature with respect to the qualifications and experience of its non-credentialed staff who are involved in non-core, non-college preparatory instruction at the school [Education Code 47605(l)]. Wherever possible, depending on the fiscal resources and needs of the school, New West will fill these positions with credentialed teachers on a part-time or full-time basis. When this is not possible, the non-credentialed instructional staff will normally have an undergraduate degree, be working toward their degree, or have at least five years of experience in an area of expertise related to the position they will fill. New West will develop, as needed,

the job descriptions, job qualifications, selection processes, and evaluation tools appropriate for the different kinds and levels of non-credentialed instructional staff that may be used to supplement the school's core academic program taught by the school's full-time credentialed teachers. Non-credentialed staff may assist credentialed teachers but they shall not be assigned primary responsibility for teaching core academic subjects nor shall they be counted when calculating class size and student:teacher ratios.

4. Non-instructional Staff

The Director/Principal shall be responsible for supervising the non-instructional staff needed by the school to staff its operations (e.g., administrative assistants, secretaries, custodial staff, and food services workers). New West will develop, as needed, the job descriptions, job qualifications, selection processes, and evaluation tools appropriate for the different kinds and levels of non-instructional staff that may be employed at the school. Minimum requirements for office and clerical staff will include, but not be limited to, computer skills (including working knowledge of word processing, spreadsheets, data base programs, accounting software, and internet communication management), written and verbal communication skills, and filing and organizational abilities. The Director/Principal shall develop a written evaluation procedure for assessing the performance of non-instructional staff on a yearly basis.

5. Personnel Policies

New West shall develop written personnel policies, including employment contracts and an employee handbook, before June 1, 2002. New West will not hire any employee until the SBE has had an opportunity to review and comment on these documents. Changes to the school's personnel policies shall require Governance Council approval.

New West anticipates being competitive with local public and private schools in terms of salary schedules, work schedules, health benefits, retirement benefits, vacation, sick leave, absences with replacement pay, and opportunities for on-job training and professional development. New West anticipates that some administrators and instructional staff will be issued contracts while other administrators, instructional staff, and non-instructional staff will be at-will employees. New West personnel policies and procedures shall include, but not necessarily be limited to, the following elements:

- **Job descriptions:** qualifications including abilities, experiences, and attitudes; education levels and credentials/licenses; broadly defined duties and responsibilities; professional development requirements; agreement to work to fulfill the principles and practices of the Charter; participate in school governance, including election to the Governance Council and serving on school committees, as an integral part of employment.
- **Hiring:** recruiting; interviewing; job offers and acceptances; soliciting references; verification of degrees, credentials, licensure, and previous employment; criminal background checks; initiating employment; and orientation of new employees.
- **Employment status:** exempt (salaried) versus non-exempt (hourly) employment; contract versus at-will employment; full-time versus part-time employment; employees versus independent contractors; tenure, notice periods, and procedural protections; eligibility for benefits; outside employment; rights of parent and community volunteers; right to unionize (see *General Provisions of the Charter. Section XIII.O. Employee Collective Bargaining Rights*).
- **Compensation:** salary and hourly pay schedules; overtime work and compensatory leave time; incentives and bonuses; supplemental compensation for special duties.

- **Time and attendance:** work day, work week, and work year; break and lunch periods; pay periods; time sheets; unauthorized lateness and attendance.
- **Insurance benefits:** health and dental insurance; life insurance; accidental death and dismemberment insurance; short-term and long-term disability insurance; workers compensation insurance; unemployment compensation; coordination of benefits.
- **Retirement benefits:** see *General Provisions of the Charter. Section XIII.K. Staff Retirement Benefits.*
- **Holidays:** national, religious, and personal holidays; eligibility, scheduling, and accrual of vacation days.
- **Sick leave:** eligibility, amount, duration, return to work, and accrual; integration with disability policy.
- **Leave of absence:** eligibility, terms, and durations related to personal, bereavement, family medical (illness, pregnancy, care of a family member), educational, military, and jury duty leaves; unauthorized absences.
- **Health and safety issues:** smoke-free, alcohol-free, drug-free policy; immunizations, vaccinations, and health testing (e.g., tuberculosis); blood-borne pathogens; child neglect and abuse reporting; first-aid and emergency response training.
- **Employee Conduct:** interactions with students, parents, and staff members; dress and appearance; punctuality.
- **Performance evaluation:** frequency, format, and standards of evaluations; observation of performance; employee participation; persons responsible for evaluations of different employees.
- **Professional development:** professional development portfolios; participation, expectations, and requirements; reimbursement and time-off.
- **Non-harassment:** prohibiting, reporting, investigating, and remediating verbal, physical, and sexual harassment of employees, students, and parents.
- **Non-discrimination:** see *General Provisions of the Charter. Section XII. Equal Rights Statement.*
- **State and federal workplace law:** employees protected by state and federal laws and regulations regarding civil rights (e.g., age discrimination, disability, and equal pay legislation) and workplace practices (fair labor standards, family and medical leave, extended insurance coverage, retirement benefits, and occupational safety and health standards).
- **Reimbursements:** travel (transportation, lodging, meals); school use of personal automobiles; telephone expenses; school supplies; other professional expenses; school credit cards.
- **Conflict of interest:** see *General Provisions of the Charter: Section XVIII. Conflict of Interest Policy.*
- **Employment records:** contents of personnel files; access to, use of, and release of personnel information; privacy and confidentiality.
- **Grievance procedures:** see *General Provisions of the Charter: Section XIII.N.2. Disputes Arising with the School.*
- **Collective bargaining rights:** see *General Provisions of the Charter. Section XIII.O. Employee Collective Bargaining Rights.*

- **Discipline:** grounds for discipline; progressive discipline policy including demotion and termination; relationship to performance evaluation; appeal and due process rights.
- **Termination of employment:** voluntary resignation; retirement; death; involuntary termination including non-renewal of contract, termination of at-will employment, elimination of position, or immediate discharge for cause; exit interview; return of school property; employment references.
- **Receipt of personnel manual:** agreement that the employee handbook is not a contract and that New West shall at all times retain the unilateral right to modify, clarify, supplement, or eliminate any portion of the employee handbook.

F. Health and Safety

The Health and Safety Committee shall formulate and enforce the health, safety, and risk management policies, procedures, and practices of New West Charter School. New West shall engage appropriate inspectors, consultants, contractors, or other professionals from public agencies or private companies when their expertise is required to inspect, evaluate, and/or correct health and safety conditions at the school. The practices and procedures to be followed at the school shall include but are not limited to the following requirements:

- All students, school employees, and volunteers who help at the school shall provide records documenting those immunizations required by law including tuberculosis testing.
- All school employees and volunteers who help at the school shall submit to a criminal background check and furnish a criminal record summary as described under *General Provisions of the Charter. Section XIII.E. Staff Employment.*
- The administrative and instructional employees of the school shall be instructed on a regular basis of their duty as mandated child neglect and abuse reporters.
- Regular school-wide drills shall practice the school's plans for response to natural disasters and emergencies, including fires and earthquakes.
- All administrative, instructional, and staff employees shall be trained in emergency response, including appropriate "first responder" training or its equivalent.
- The school, under the direction of the Facilities, Maintenance, and Site Use Committee, shall have a regular program for inspecting the school's building and grounds to identify and correct safety and health hazards including those related to auxiliary services such as food services, custodial services, maintenance, landscaping, and hazardous materials.
- The school's buildings and other facilities shall be inspected on a regular basis by the Fire Marshal.
- The school's buildings and other facilities shall be certified to be free of substantial seismic and toxic hazards.
- The school's buildings and other facilities shall meet the requirements of the Americans with Disabilities Act.
- The school's buildings and other facilities shall comply with state and federal workplace health and safety standards.
- The school's playground and athletic facilities shall meet local, state, and federal safety codes.
- The school shall have an acceptable use policy that requires responsible use of computers for educational purposes and protects students from inappropriate, offensive computer accessible information from the internet or elsewhere.

- The school's campus shall be maintained as a drug, alcohol, and tobacco free environment.
- The school shall have a traffic policy that ensures the safety of students arriving at and leaving school.
- The Director/Principal, a teacher, or the school nurse may administer prescription drugs and other medicines to students during school hours, provided that they have the written consent of the parents, they have written instructions from a physician, and they have been trained in administering the drug or medicine.
- The school shall have a zero tolerance policy with respect to violence and the possession of firearms or other weapons on campus by students, employees, parents, or visitors.

New West shall provide upon request from the SBE copies of its health, safety, and risk management policies as well as reports related to inspecting, evaluating, and/or correcting health and safety conditions at the school.

G. Racial and Ethnic Balance

New West shall encourage an integrated, multiethnic student body by providing a rich and diverse multicultural educational environment in which students are encouraged to reach their full academic potential regardless of race, color, ethnicity, or national origin. New West shall implement a recruitment strategy whose goal is achieving a racial and ethnic balance among its students that is reflective of the general population residing in Los Angeles. The means to enhance the racial and ethnic balance of the school's student body include, but are not necessarily limited to, the following:

- Maintain an Ethnic and Racial Diversity Committee of parents, educators, and community members as a standing committee of the Governance Council to oversee New West's efforts in recruiting a wide diversity of students and ensuring a supportive environment for students of all backgrounds while attending the school.
- Follow an application, admissions, and enrollment policy that incorporates a timeline allowing for a broad-based recruiting effort (admission will be by lottery if applications exceed the available space).
- Distribute informational materials about New West to a broad variety of community groups and agencies that serve the various racial and ethnic groups represented in the anticipated attendance area of the school.
- Request principals of geographically proximate elementary schools on the Westside of Los Angeles to send home to parents of fifth grade students information provided by New West about its programs and admissions.
- Conduct an outreach program of informational meetings, coordinated with New West open houses, at public elementary schools on the Westside of Los Angeles to inform parents in underrepresented communities of the educational opportunities available at New West.
- Provide informational materials, recruitment brochures, and applications in English and Spanish, and arrange simultaneous English ↔ Spanish translations at informational meetings about New West (translations to other languages will be provided as the need arises).
- Establish formal, ongoing, long-term "little sister" relationships with nearby public elementary schools whose over-crowded student bodies are comprised of primarily minority or socioeconomically disadvantage students. New West will work with both school administrators and parent led groups (e.g., the PTA) at the "little sister" schools. The LAUSD has already agreed to facilitate the recruitment of students and has

recommended six elementary schools in West Los Angeles with which New West might establish mutually beneficial relationships⁶.

- Give admissions preference to students who qualify under LAUSD's Permits with Transportation (PWT) program (up to 33% of the school's enrollment; see *General Provisions of the Charter. Section XIII.H.3. Admission and Enrollment Preferences*). New West shall work cooperatively with the LAUSD to negotiate an agreement for recruiting PWT students from selected schools (e.g., from the little sister schools) in a way that maximizes the number of PWT students but minimizes the transportation costs to the district. The LAUSD shall be solely responsible for all transportation costs of PWT students.
- Solicit additional public and private funding to provide transportation and other support services that will facilitate interested graduates of these "little sister" schools to continue their education at New West (e.g., the Optimist Club has already expressed an interest in funding such a program).
- Consult with knowledgeable professionals, who specialize in public relations with underrepresented communities, about other strategies to ensure the racial and ethnic diversity of the school's student body.
- Discuss with the LAUSD the possibility of participating in the LAUSD's Capacity Adjustment Program (CAP) if the school is at less than full capacity. The assignment of CAP students to New West would be governed by a separate "CAP Student Memorandum of Understanding" mutually agreed to by New West and the LAUSD.
- Include a section in the school's annual Programmatic Performance Report that summarizes the racial, ethnic, and socioeconomic balance of New West's student body and reviews the specific actions taken by New West to achieve and maintain diversity in its student population (see *General Provisions of the Charter. Section XIII.I.2*).

Any effort made by New West to enhance the racial and ethnic diversity of its student body must comply fully with all laws that prohibit discrimination against individuals or groups of individuals (see *General Provisions of the Charter. Section XII. Equal Rights Statement*).

H. Admission and Enrollment

The Governance Council shall determine all policies, processes, and procedures governing application, admission, and enrollment at New West. All students attending New West must follow the application, admission, and enrollment policies of the school. A student who is already enrolled in New West shall have the right to continue attending the school until the student graduates from high school unless the student voluntarily withdraws, is expelled, or is required to withdraw for one of the reasons cited under *General Provisions of the Charter. Section XIII.J. Discipline Policy including Suspension or Expulsion of Students*.

The application packet for admission to New West shall include information that allows students and parents to be informed about the school's operation as a charter school, its middle school or high school educational programs, the academic and behavioral expectations of students, and the rights and responsibilities of students and parents who wish to become part of the New West family. The application packet shall include the following information specific to the middle school or high school:

⁶ See letters of July 20, 2000, and January 8, 2001, from LAUSD Deputy Superintendent Merle Price to New West regarding Broadway, Brockton, Charnock, Coeur D'Alene, Richland Avenue, and Nora Sterry Elementary Schools. In May 2001, New West held meetings with parent groups at Brocton and Coeur D'Alene Elementary Schools, and will initiate meetings at the other schools during the 2001- 2002 school year.

- A brief description of what charter schools are and how they differ from regular public schools.
- New West's *Mission Statement* and a summary of the school's educational philosophy (see *General Provisions of the Charter: Section XIII.A.4*).
- Information about New West's Director/Principal, the school's instructional staff, and members of the Governance Council.
- A description of New West's educational program including a school calendar, daily schedule, core curriculum, enrichment and extracurricular programs, attendance expectations, grading policy, testing and evaluation procedures, promotion and retention policy, and graduation standards (exit outcomes) (see *General Provisions of the Charter: Section XIII.A. Educational Program*).
- An overview of the academic performance of students who have attended New West (e.g., CST, CAT 6, and API results).
- A description of New West's shared governance structure and how the school encourages parental involvement (see *General Provisions of the Charter: Section XIII.D. Governance Structure* and *Section XIII.D.5. Parental Involvement*).
- A copy of the Home-School Contract with a prominent statement that exceptions to the provisions of the contract may be allowed on a case-by-case basis in the form of reduced requirements for parents whose particular circumstances may include transportation difficulties, single-parent households, financial hardship, physical disability, employment, or other special situations (see *General Provisions of the Charter: Section XIII.D.5.c*).
- A listing of the rights and responsibilities of New West parents and teachers (see *General Provisions of the Charter: Section XIV. Educational Rights and Responsibilities*).
- Descriptions of admission criteria, admission and enrollment preferences, admission lottery and admission priority, conditions of enrollment, and consequences of misrepresenting admission and enrollment information (see following sections).
- A prominent statement that New West operates under oversight of the SBE but is exempt from most laws and regulations governing public schools (e.g., building safety and minimum school day requirements).
- A prominent statement that the school district in which a student resides (not the SBE) has the responsibility for the public education of a student who voluntarily withdraws or is expelled from New West.

1. School Capacity

The Governance Council shall have the authority, consistent with its Charter, to determine the size and grade-level breakdown of New West's student body subject to the limits specified in *General Provisions of the Charter: VII. Limits on School Size*. The determination of school capacity shall be based on the school's academic program, the school's fiscal viability, the educational needs of currently enrolled students, the capacity of the school site, and the level of interest shown by students who want to attend the school. As currently planned, the enrollment at New West shall be no more than 600 students in middle school and 800 students in high school, but the Governance Council shall have the right to determine if fewer students that can be accommodated at its school site(s) on a year-by-year and grade-by-grade basis (see Table 2 under *General Provisions of the Charter: Section VII. Opening of the School*). Determinations of class size and student:teacher ratios shall be based only on credentialed teachers.

2. Admission Criteria

New West shall be open to all students at the appropriate grade levels for middle school (grades 6-8) and high school (grades 9-12). New West shall be open to all students without regard for the place of residence of students or parents within California. Admission to New West shall be determined solely by the preferences given in the next section. The only requirement is that students wishing to attend New West must follow the school's admission procedures with respect to completing applications and enrollment forms by the announced deadlines. Application deadlines, which will normally be in April for admission the following September, shall be coordinated with local public and private schools to give students and their parents opportunity to consider the full range of educational opportunities available to them. Late applications for admission shall result in loss of admission and enrollment preferences as listed below. Late return of enrollment packets following notification of admission shall result in loss of place on the admission priority list discussed below.

New West shall not charge an application fee nor shall it charge tuition [Education Code 47605(d)(1)]. New West shall not require or solicit any monetary contribution, pledge, or promise as a condition for application, admission, enrollment, or participation in any of the school's regular educational activities. New West shall be nonsectarian in its admission and enrollment policies and shall not discriminate against any student on the basis of ethnicity, national origin, gender, or disability [Education Code 47605(d)(1)]. New West does have certain requirements of parents and students that must be satisfied when a student is enrolled in the school (see *General Provisions of the Charter: Section XIII.H.5. Conditions of Enrollment*).

The only academic requirement for admission is that applicants must be working at a basic level of proficiency in the grade in which they are enrolled at the time of application (e.g., grade level work in 5th grade at their current school when applying for 6th grade at New West). This is necessary to ensure that applicants have the necessary skills and background reading, writing, and mathematics to be successful in the high-performing educational program that New West is building. New West shall use a two step process to determine grade level proficiency:

- **California Standards Test Results.** About 98% of public school students participate in California Standardized Testing and Reporting (STAR) Program. This state-wide testing is usually done in the spring semester with results mailed to parents the following August. New West uses the most recent available test results, which are typically the tests taken the prior school year (e.g., New West bases 6th grade admission on 4th grade tests because the 5th grade test results are not available until after the admission process is completed). The California Standards Test (CST) is a part of STAR that measures a student's progress toward mastering California's academic content standards (the California Achievement Test, or CAT-6, which is a nationally standardized test of student performance). With regard to test performance in reading, English language arts, and mathematics, the SBE is required by law to "identify and establish the level of performance that is deemed to be the minimum level required for satisfactory performance in the next grade" [Education Code 60648]. Typically, the minimum standard set by the SBE is a score of 350 ("Proficient" and "Advanced" performance levels) on both the English-Language Arts and Mathematics sections of the CST. New West requires a slightly lower standard of minimum grade level proficiency of CST scores of 300 or greater ("Basic" performance level and above). Lower scores (<300 in the "Below Basic" and "Far Below Basic" categories) indicate that an applicant is not prepared to be successful with New West's middle school or high school curriculum. Special education students

may substitute their 2003 California Alternate Performance Assessment (CAPA) results for the CST. Applicants from private and parochial schools, who do not have STAR results, may submit other standardized tests taken within the last year that can be used to evaluate grade level progress (e.g., ISEE, ERB, and Stanford/9).

- Full Academic Record. If an applicant does not have acceptable CST scores (>300), then New West looks at the applicant's full academic record to judge grade level proficiency. This evaluation considers the combination of standardized test scores (CST and CAT-6), report cards, and teacher and administrator recommendations. Parents may submit other information and records useful for assessing their child's grade level abilities (e.g., assessment tests administered by the applicants school, classroom work, special projects, portfolios, additional letters of recommendation, and reports regarding any special needs that a student may have). New West occasionally requests an interview to assess an applicant's ability to handle New West's curriculum.

Applicants are removed from consideration for admission if they do not meet New West's criteria for minimum grade level proficiency. Parents are informed of this decision in writing and given an opportunity to submit additional information and/or meet with the Director/Principal to discuss their child's academic progress and ability to perform successfully at New West. **3. Admission and Enrollment Preferences**

New West shall admit and enroll all students who meet the school's admission criteria who wish to attend the school provided that the school's capacity at each grade level is not exceeded [Education Code 47605(d)(2)(A)]. Classes at each grade level will be filled according to the following order of preferences for students who are either continuing enrollment or being admitted for the first time (listed in declining order of priority) [Education Code 47605(d)(2)(B)]:

- Presently enrolled students who plan to continue attending the school.
- A limited number of students who are the children of Founders who worked to open the school⁷. The conditions for attaining Founder status and the maximum number of Founders' children enrolled at any time are specified in *General Provisions of the Charter: Section X. School Founders*.
- Students with siblings who are continuing their enrollment at New West or who graduated from New West.
- Applicants with siblings who have been admitted to New West. This category is meant to insure that all children from the same family who apply to New West at the same time are granted admission if one child is admitted (e.g., twins applying to the same grade or brother and sister applying to different grades).
- Students participating in the LAUSD Permits with Transportation (PWT) program provided that the LAUSD arranges and pays for transportation for the PWT students who wish to attend New West. The number of PWT students shall not exceed 33% of the school's total enrollment at any time unless there are open seats in which case New West shall accept PWT students beyond the 33% mark until the school reaches its attendance capacity. PWT students must follow the normal application and enrollment procedures by the announced deadlines.
- All other students who wish to attend the school.

⁷ Preference for a limited number of children of founders of a school is an acceptable exception to lottery admissions (see Nonregulatory Guidance: Public Charter Schools, Office of Elementary and Secondary Education, U.S. Department of Education, December 2000, p. 5).

4. Admission Lottery and Admission Priority

If the number of students who wish to attend New West exceeds the school's capacity, then the admission of new students shall be determined solely by a separate public random drawing for each grade level with consideration given for the admission preferences listed in the previous section [Education Code 47605(d)(2)(B)]. New West shall maintain an admission priority list of the order in which applicants to each grade level in each admission preference category were selected in the admission lottery. The order of admission of students at any time during a school year shall be based solely on the order of applicants on the admission priority list. Admission shall be based solely on a first-come first-served basis if New West determines that space still exists at any grade level after the admission priority list has been exhausted.

5. Conditions of Enrollment

New West shall have the following requirements that must be met by each student and/or their family before beginning classes at the school:

- Completed enrollment forms including emergency information cards.
- Records documenting immunizations required by law including tuberculosis testing.
- Home-School Contract signed by the student's parents (see *General Provisions of the Charter: Section XIII.D.5.c*).
- School records and test results indicating that the student has graduated from grades 5-11, depending on the grade the student will be entering at New West.

6. Misrepresentation of Admission and Enrollment Information

New West shall have the right to require the immediate withdrawal from school of any student whose parents misrepresent their legal status as guardians, their place of residence, or any other material information on any school document, including but not limited to admission and enrollment forms, when such misrepresentations, whether intentional or not, provide some unfair advantage in gaining admission to New West.

I. Annual Audits and Reports

New West shall draft annual written reports as part of the schools accountability responsibilities with regard to the school's operation and educational program. The reports shall be made available to New West's stakeholders, to the SBE, and to the public at large. The Financial Audit, the Programmatic Performance Report, and the School Accountability Report Card discussed in the following three sections shall collectively serve as the Annual Report to the Governance Council required by the Corporate Bylaws.

1. Financial Audit

New West, through its Budget, Finance, and Audit Committee of the Governance Council, shall appoint an Audit Subcommittee to oversee the selection of an independent auditor and the completion of an annual audit of the school's financial affairs. The auditor, who will be an independent certified public accountant, will use generally accepted accounting principles, generally accepted auditing standards, and the audit guide issued by the Controller of the State of California. The auditor will prepare a report, in a format acceptable to the SBE that will include: actual and revised budget figures; projected revenues, expenditures, and fund balances; audited financial statements consistent with Standardized Account Code Structure; and review the school's internal controls. To the extent required under applicable federal law, the audit scope will be expanded to include

items and processes specified in any applicable Office of Management and Budget Circulars. The audit will also verify the accuracy of the school's attendance and enrollment accounting practices. The school's Audit Subcommittee shall review any audit exceptions or deficiencies and report to the Governance Council with recommendations on how to resolve them.

New West shall forward a copy of the independent financial audit to the SBE and CDE by December 15 following the close of the fiscal year. The school shall also report to the SBE regarding how audit exceptions and deficiencies have been or will be resolved by the school to the satisfaction of the SBE according to an agreed-upon timeline. The SBE shall report back to the school in writing on a timely basis any concerns it may have about the school's financial audit or the school's remediation efforts to correct audit exceptions and deficiencies.

2. Programmatic Performance Report

The Director/Principal of New West shall be responsible for compiling data and writing an annual Programmatic Performance Report that summarizes information about the school's operation and educational program during the previous school year. It is anticipated that the annual report will be completed within six months after the last scheduled day of the previous school year. The Director/Principal shall present the report to the Governance Committee for approval along with recommendations for changes in the school's educational program or operation to correct deficiencies or make improvements, as may be need from year to year.

New West and the SBE shall work jointly to develop mutually agreeable content, evaluation criteria, timelines, and processes for the Programmatic Performance Report. The report shall include, but not necessarily be limited to, the following information about the previous school year:

- An analysis of the school's student body including enrollment projections and demographic data about racial, ethnic, and socioeconomic diversity.
- A summary of specific actions taken by New West to achieve and maintain diversity among the school's students.
- An analysis of student attendance and enrollment records used to calculate Average Daily Attendance for funding and other determinations.
- An analysis of the school's Academic Performance Index (API).
- A subject-by-subject analysis of the school's standardized test results.
- Overviews of student performance including data on the number of students who are not promoted, require remedial attention, or are gifted or highly gifted.
- A summary of the programs and resources made available to meet the special education needs of the school's students.
- An overview of student conduct including the number of students suspended or expelled from the school.
- An overview of the school's admissions practices including data on the number of applications, admissions offered, and students actually enrolled, and information about the school's specific efforts to recruit and maintain an ethnically, racially, and socioeconomically balanced student body.
- The number of administrators, teachers, non-credentialed instructional staff, and non-instructional staff working at the school and their qualifications.
- A summary of the professional development activities of the school's teachers.

- A summary of the school's annual review process for evaluating the performance of the school's employees.
- A summary of major decisions and policies established by the Governance Council.
- A summary of parent involvement in the school's governance, operation, and educational program.
- An analysis of the school's annual survey of faculty, staff, and volunteers regarding the school's educational program that focuses on areas in need of improvement.
- An analysis of the results of the school's annual parent satisfaction survey regarding the school's educational program that focuses on areas in need of improvement.
- A summary of health and safety issues that affected the school's students and employees.
- An overview of the school's physical facilities including plans for changes or additions to the buildings or playgrounds at the school site.
- A summary of the school's effort in involving the community as a partner in its governance, operation, and educational program.
- A review of the effectiveness of the school's internal and external dispute mechanisms and data on the number and resolution of disputes and complaints.
- A summary of liability incurred by the school in any aspect of its operation.
- Other information regarding the educational program and the administrative, legal, and governance operations of the school relative to compliance with the terms of the Charter.
- Other financial data, attendance reports, and analyses that enable the SBE to meet its legal requirements with respect to charter schools.
- A copy of the School Accountability Report Card (see next section).

New West shall forward a copy of the Programmatic Performance Report to the SBE. The SBE shall report back to the school in writing on a timely basis any concerns it may have about the school's operation or educational program. Any disputes arising from the Programmatic Performance Report about the school's operation, educational program, or compliance with the Charter shall be settled through the dispute resolution process described under *General Provisions of the Charter: Section XIII.N.2. Disputes between the School and the Chartering Authority*.

3. School Accountability Report Card

New West shall prepare each year a School Accountability Report Card to inform the parents of enrolled students, parents of prospective students, teachers, staff, and the community at large about conditions and progress being made at the school. The Report Card, which may be based on information summarized from the Annual Programmatic Performance, shall be made available publicly within six months after the last scheduled day of the previous school year. The Report Card shall be presented in an easily understandable format that allows the school community to assess the significance of the information presented. New West shall not be bound by the statute applicable to regular schools and school districts in deciding the specific content and format of the Report Card [Education Code 33126, 35256, and other relevant sections], but shall be free to develop a Report Card that reflects the school's own accountability and communication needs. The Report Card, which shall not present information for individual students, shall include information for the school as a whole, for different grade levels, and for subgroups of the school's student body based on gender, ethnicity, and socioeconomic status. When

relevant and appropriate, information shall be presented so as to allow comparisons with legal requirements, with results of prior years, and with results for other public middle schools including individual schools located near New West, averages for nearby school districts, and statewide averages. New West's Report Card shall include but not be limited to the following kinds of information:

- Demographics of the student body.
- Standardized test scores and the results of other statewide assessments.
- API statistics including similar schools rankings and growth targets.
- Application and admission statistics.
- Attendance statistics.
- Graduation, promotion, and retention statistics.
- Number of students suspended or expelled.
- Number of instructional minutes and number of instructional days.
- Membership of the Governance Council.
- Number and qualifications of administrative personnel.
- Number and qualifications of the credentialed teachers.
- Number and qualifications of the non-credentialed instructional staff.
- Number and duties of non-instructional staff.
- Changes to the school's facilities.
- Summary of the core curriculum.
- Summary of the enrichment curriculum and extracurricular activities.
- Summary of revenues and expenses.

J. Discipline Policy including Suspension or Expulsion of Students

New West shall develop, periodically review, and enforce a comprehensive set of student discipline policies. The Governance Council shall approve the discipline policies, and any material revisions to them, before they take affect. The policies, which shall be in place before the school opens, will be printed and distributed as part of the school's student handbook. The policies shall clearly describe the school's expectations of its students regarding attendance, school behavior, dress, mutual respect, substance abuse, violence, safety, and work habits. Students and their parents shall be required to verify that they have reviewed and understood the policies at the beginning of each school year.

New West's discipline policy for students shall involve both zero tolerance offenses and progressive disciplinary consequences including, but not limited to, verbal warnings, written warnings, loss of privileges, isolation in a supervised area, detention during or after school, notices to parents by telephone or letter, parent conferences, suspension, expulsion, and required withdrawal from the school. Student misconduct includes the following conduct when the conduct is related to school activity or attendance regardless of when the misconduct occurs and regardless of whether the conduct occurs on or off the school's grounds (the usual consequences of student misconduct are given in parentheses):

- Threatened, attempted, or caused physical injury to another person (zero tolerance leading to immediate suspension followed by expulsion).
- Willfully used force or violence against another person except in self-defense (zero tolerance leading to immediate suspension followed by expulsion).

- Harassment, hate crimes, or other acts based on sex, race, or ethnicity (zero tolerance leading to immediate suspension followed by expulsion).
- Possessed, sold, or furnished a firearm, knife, explosive, or other dangerous weapon (zero tolerance leading to immediate suspension followed by expulsion).
- Possessed, used, sold, furnished, or been under the influence of any controlled substance, alcoholic beverage, or other intoxicant of any kind (zero tolerance leading to immediate suspension followed by expulsion).
- Stolen, attempted to steal, received, or otherwise been involved in the theft of personal or school property (zero tolerance leading to immediate suspension).
- Vandalized or otherwise purposefully damaged or destroyed school property (progressive discipline, suspension, expulsion, or required withdrawal from the school depending on seriousness and duration of misconduct).
- Committed an obscene act or engaged in habitual profanity or vulgarity (progressive discipline, suspension, expulsion, or required withdrawal from the school depending on seriousness and duration of misconduct).
- Disrupted school activities or willfully defied the valid authority of school personnel (progressive discipline, suspension, or required withdrawal from the school depending on seriousness and duration of misconduct).
- Failure to abide by the terms of a written remediation agreement drafted in response to repeated behavioral problems (suspension or required withdrawal from the school).
- Violation of the student honor code with respect to academic activities (progressive discipline, suspension, or required withdrawal from New West depending on seriousness and duration of misconduct).

The discipline policies of New West shall provide students and their parents with an opportunity for due process. Due process shall include the following:

- A fair, impartial investigation of alleged student misconduct
- Written notice to the student's parents when discipline involves more than a verbal warning.
- An opportunity for the student and the student's parents to respond to charges of misconduct and subsequent disciplinary measures.
- An opportunity for the student and the student's parents to work cooperatively with the school to formulate consequences and corrective actions appropriate for the misconduct.
- The right of parents to request intervention by the Student Success Committee when chronic disciplinary problems are impeding a student's school performance.
- Access to the school's procedures for resolving disputes arising within the school including a hearing before the Principal/Director, appeal to the Executive Committee, and appeal to the Governance Council, whose decision shall be final.

Any student who repeatedly violates the school's behavioral expectations shall be required to attend a meeting with the school's staff and the student's parents. The school shall prepare a specific, written remediation agreement outlining future student conduct expectations, timelines, and consequences for failure to meet the expectations which may include, but are not limited to, suspension, expulsion, or required withdrawal from the school. The Director/Principal may, pursuant to the school's adopted policies, discipline, and ultimately suspend, or expel, or require withdrawal from the school for students who fail to comply with the terms of a remediation agreement.

New West's discipline policy regarding suspension, expulsion, and required withdrawal from the school shall include the following steps:

- Notification of the Director/Principal by school staff that a student has had conduct warranting suspension/expulsion/required withdrawal (and immediate notification of law enforcement agencies if there is danger to others).
- Immediate removal of the offending student to the school office or other supervised area.
- Preliminary determination by the Director/Principal that a student should be suspended/expelled/required to withdraw from the school.
- Immediate notification of the parents to remove the student from the school grounds and not return until notified of the student's right to return.
- Written notice, within two days of the Director/Principal's preliminary determination, to the student and her/his parents regarding the reason for the suspension/expulsion/ required withdrawal, the school's disciplinary procedures, due process rights, and the date, time, and place of the suspension/expulsion hearing.
- A suspension/expulsion hearing, within one week of the written notice, before a three person student conduct panel chosen by the chair of the Student Success Committee from members of the committee and attended by the student, the student's parents, and other's who may be involved in the event(s) with an opportunity to present evidence and hear witnesses.
- A written decision that describes the course of action chosen by the student conduct panel and that is communicated to the student through the student's parents, copied to the Governance Council, and placed in the student's file.
- Appeal rights to the rights to the Executive Committee and the Governance Council as allowed by the school's internal dispute resolution procedure (see *General Provisions of the Charter. Section XIII.N.1. Disputes Arising within the School*).

A student who is expelled or required to withdraw from New West loses her/his right to attend the school as a continuing student. If a student is expelled or required to withdraw from the school, then New West shall immediately notify the school district in which the student resides. New West shall work cooperatively with that school district to assist with the educational placement of the student in an appropriate setting as fast as is practical given the particular circumstances of the student. However, the school district of residence, not New West or the SBE, has full responsibility for the continued public education of the student. New West shall report to schools where the student might attend all incidents of violent behavior, criminal misconduct, and other serious offenses that are a threat to students or school personnel. The school will notify the SBE of any expulsions or required withdrawals and will include suspension, expulsion, and required withdrawal data in its annual performance report.

Special procedures apply to disciplining a student with disabilities. In a matter involving a student who has an IEP, New West shall follow legally mandated procedures for student discipline, suspension, expulsion, and required withdrawal from the school. In particular, a student with an IEP has the right to have the IEP team review the student's current educational program and recommend a behavior support plan to remedy discipline problems within the context of the student's special needs. In general, New West may suspend, expel, or require withdrawal of the student only if an IEP team meeting is held, the team determines that the misconduct was not caused by, or was not a direct manifestation of, the pupil's identified disability, and the team determines that the pupil had been appropriately placed at the time the misconduct occurred. The IEP team shall be responsible for determining alternative education settings that enable the student to continue to participate in general education, although in another setting, and to receive services that enable the student to meet the goals of his/her IEP while addressing the behavior that is the subject of the discipline.

K. Staff Retirement Benefits

New West shall offer retirement benefits to all of its full-time administrative, instructional, and staff employees. The Governance Council shall offer at its discretion some combination of a school sponsored retirement plan, the federal social security program, the Public Employees' Retirement System (PERS), and/or the State Teacher's Retirement System (STRS). If New West chooses to make STRS available, all employees of the school who perform creditable service shall be entitled to have that service covered as described in Education Code Section 47611(a). New West shall inform all applicants for positions within the school about each of the following [Education Code 47611(b)]:

- The retirement system options available at the school, including but not limited to whether coverage under STRS or PERS, or both, is available.
- Accepting employment at New West may exclude the applicant from further coverage in the applicant's current retirement system, depending on the retirement options offered by the school.

L. Public School Attendance Alternatives

New West is a public school of choice that does not have a defined attendance area but is available for all students who wish an alternative to attending their local neighborhood public school that serves grades 6-12. Students have the right to attend their neighborhood public school according to the regulations and practices of the school district in which they reside.

If a student withdraws or is expelled from New West, then the school district in which the student resides shall work with the student's parents to find a place for the student in another public school that is as near as possible to the student's place of residence in accordance with the established enrollment and transfer policies of that school district. It should be understood that the district in which the student resides has full responsibility for the continued public education of any student who withdraws or is expelled from New West.

M. Leave of Absence to Work at a Charter School

Employees of school districts or educational agencies other than the SBE shall be governed by their employer's personnel policies and/or labor union agreements with respect to leaves of absence to work at New West.

N. Dispute Resolution Processes

1. Disputes Arising within the School

New West shall develop policies and processes for resolving internal complaints, conflicts, and disputes that may involve the school and its various stakeholders, including prospective students and their families. The detailed, written, internal dispute resolution process shall be prepared and submitted to the SBE for review and comment by September 30, 2004. The Dispute Resolution Committee of the Governance Council shall be responsible for administering and monitoring the internal dispute resolution process. Changes and revisions to the process shall not take effect until approved by the Governance Council. The following general principles shall govern all levels of New West's internal dispute resolution process:

- Emphasis on written school policies, dispute resolution training, and open, honest, collegial communications to avoid misunderstandings and conflicts between or among students, parents, teachers, administrators, staff, and community members.
- Provisions for notification, participation, and due process for all parties involved in a dispute.

- Assurances of fair, equitable, unbiased treatment of all parties involved in a dispute without fear of retaliation.
- Investigation, hearing, and resolution of disputes in a timely manner with provisions for appropriate remedies if a problem is discovered.
- Guarantees of privacy and confidentiality with respect to public release of information regarding personal information, personnel files, student records, and other sensitive matters.
- Adherence to the school's conflict of interest policy that requires persons to refrain from participating in mediating or resolving a dispute when they are personally involved or have a self-interest in the outcome of the dispute.
- Alternative procedures when appropriate or required by law such as for disputes involving special education, expulsion of students, or termination of staff, or disputes involving someone who would otherwise serve as a facilitator in the dispute resolution process (e.g., complaints about the Director/Principal would bypass that person and be handled by the Executive Committee).
- Requirements that the school's stakeholders must follow the specified steps in the internal dispute resolution process rather than contacting people inappropriately or settling grievances via ad hoc methods of their own choosing.
- Review and revision of the internal dispute resolution process annually to ensure its efficacy and responsiveness to the school's stakeholders.

New West anticipates using a hierarchical approach to settling internal disputes that involves the following sequential levels of resolution:

- **Personal interaction.** The parties directly involved in the dispute shall make good faith efforts to resolve the problem through direct, open discussions among themselves.
- **Peer mediation.** The Dispute Resolution Committee will appoint and arrange for dispute resolution training for student, parent, teacher, and staff mediators, who will be available to facilitate informal resolution of conflicts among peers not settled by personal interactions.
- **Supervisory intervention.** Disputes not resolved through peer mediation will be referred to an appropriate, non-involved, or next-most-responsible person. For example, a teacher will handle disputes among students, another mutually agreeable teacher will handle disputes between a student and a teacher, the Director/Principal will handle disputes among parents, among teachers, or between teachers and parents, and the teacher or parent member of the Executive Board will handle disputes between parents or teachers and the Director/Principal. The intent is to handle disputes reaching this level through intervention and mediation in way that encourages informal resolution before invoking the following levels of dispute resolution.
- **Director/Principal.** Disputes not resolved informally must be submitted in writing with all available documentation to the Director/Principal, who shall provide copies of the complaint to all involved parties within three days. The Principal/Director shall usually hear the dispute directly, but may refer it to a Governance Council committee that is better able to seek a resolution (e.g., a complaint about unsafe school conditions might be referred to the Health and Safety Committee, or a complaint about a teacher's classroom performance might be referred to the Personnel Committee). The Director/Principal shall investigate the complaint, interview involved parties, accept written statements and documentation from the involved parties, and

take other steps that may be necessary to reach a fair, impartial conclusion about the dispute. The Director/Principal shall render her/his decision in writing within seven days as to the resolution of a dispute and possible remedies, and communicate the decision to all involved parties.

- **Governance Council committees.** The Director/Principal may refer disputes to the Dispute Resolution Committee or another Governance Council committee for resolution. The Dispute Resolution Committee may hear the dispute directly or it may refer the dispute to another Governance Council committee that is better able to seek a resolution. The Director/Principal shall inform all parties to the dispute in writing within seven days as to which committee will handle the dispute and the process that will be followed to resolve the dispute. The committee handling the dispute shall investigate the complaint, interview involved parties, accept written statements and documentation from the involved parties, and take other steps that may be necessary to reach a fair, impartial conclusion about the merits of the complaint. Resolutions of disputes and remedies, when appropriate, shall be rendered in writing within 14 days to the Director/Principal who shall immediately communicate the committee's conclusion to the involved parties.
- **Executive Committee.** Any person who is a party to a dispute has 14 days to appeal the determination of the Director/Principal or a Governance Council committee to the Director/Principal, who shall refer the dispute to the Executive Committee and provide copies of the appeal to all involved parties with seven days of receiving the appeal. The appeal shall be in writing and include all available documentation about the dispute. The Executive Committee may decide to uphold the judgment of the Governance Council committee without further deliberations, it may decide to hear the appeal itself, it may decide to refer the appeal directly to the full Governance Council, or it may decide to refer the appeal back to a Governance Council Committee for further deliberation. Decisions by the Executive Committee on the merits of an appeal shall be made only after all parties have had an opportunity to express their views on the dispute in person at a hearing attended by all parties and/or in writing that will be shared among all parties. The decision of the Executive Committee shall be made in writing within 14 days of receiving the appeal and communicated immediately to all parties by the Director/Principal.
- **Governance Council.** Any person who is a party to a dispute has 14 days to appeal the determination of the Executive Committee to the Director/Principal, who shall refer the appeal to the Governance Council and provide copies of the appeal to all involved parties within seven days of receiving the appeal. The appeal shall be in writing and include all available documentation about the dispute. The Governance Council shall appoint an ad hoc committee of five impartial members to hear the appeal. Parties to the dispute shall have an opportunity to express their views on the dispute in person at a hearing attended by all parties and/or in writing that will be shared among all parties. The decision of the ad hoc committee shall be made in writing within 30 days of receiving the appeal and communicated immediately to all parties by the Director/Principal. The determination of the ad hoc committee shall be the school's final decision on the dispute.

The SBE, at its discretion, shall refer all complaints regarding any aspect of the school's operation, for which there appears to be no implication regarding the SBE's fundamental interest, to the school's Director/Principal for resolution in accordance with the school's adopted internal dispute resolution policies. The SBE agrees not to intervene in any dispute unless the matter directly relates to one of the reasons specified in law for which a charter may be revoked or has a clear, significant, material implication regarding the SBE's fundamental interest as the chartering entity. The SBE shall have the right, as

part of its supervisory responsibilities as the chartering authority, to investigate disputes arising within the school.

2. Disputes between the School and the Chartering Authority

New West recognizes that because the SBE is not a local education agency, the SBE may choose to resolve a dispute directly instead of pursuing the dispute resolution process specified in the Charter. New West also acknowledges that the SBE may include any specific provisions it deems necessary and appropriate, and that the SBE has a right, at its discretion, to take other appropriate action in accordance with Education Code Section 47604.5 and any pertinent regulations.

New West and the SBE agree that the best defense against disagreements is open, collegial discussions between their staffs to try to resolve the matter in dispute at the earliest possible moment. If resolution of a dispute cannot be reached by mutual agreement of the staffs of New West and the SBE, then the staffs shall submit their viewpoints in writing to both the Director/Principal of New West and the designated representative of the SBE, who shall meet to try to reach an equitable resolution. If the dispute still cannot be resolved, then the Governance Council of New West and the SBE shall each appoint one or more representatives who shall meet to try to settle the disagreement. If the dispute involves some question about the implementation of the Charter or one of the other reasons for which New West's Charter may be revoked [Education Code 47604.5 and 47607(b)], then the SBE shall inform New West in writing of the violation that is alleged to have occurred (see *Provisions Related to Changing the Charter. Section IV. Revocation of the Charter*). New West shall have 30 days to cure the violation before the matter is referred to the SBE for action. With regard to any dispute between the New West and the SBE over the meaning of any provision of the Charter, New West may seek to amend or revise the Charter as allowed by the Charter Schools Act [see *Provisions Related to Changing the Charter. Section I. Amendments and Revisions to the Charter*]. Nothing in this dispute resolution process is meant to prevent the SBE or New West from seeking judicial review of any issue that cannot be settled by other means.

0. Employee Collective Bargaining Rights

New West shall be the exclusive public employer of all of the school's employees for the purposes of the Educational Employment Relations Act as specified in Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code [Education Code 47611.5(b)]. This part of state law deals with the right of public school employees to join organizations of their own choice, to be represented by the organizations in their professional and employment relationships with public school employers, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy.

XIV. Educational Rights and Responsibilities

New West believes that a strong, collaborative partnership among students, teachers, and parents provides the foundation for an educational culture that enhances the learning experience of all students. Inherent in this educational partnership are both rights and responsibilities.

A. Rights and Responsibilities of Students

- Access to a free, nonsectarian public education without regard to race, sex, color, ethnicity, national origin, or disability.

- Learn in a safe, clean, orderly, nurturing educational environment that encourages and challenges students to reach their maximum potential as educated people.
- Develop skills and abilities in reading and language arts, mathematics, science, and history and social science that provide a strong foundation to become self-motivated, competent, life-long learners.
- Participate fully in the core academic curriculum as well as differentiated instruction, homework assignments, community service projects, enrichment and extracurricular activities, special education, and remedial learning opportunities as may be appropriate for their individualized study plans.
- Behave appropriately and maintain high ethical and moral standards, including honesty, respect, courtesy, and kindness in all their interactions with parents, teachers, administrators, staff, community members, and other students.
- Participate in the governance (e.g., student council) and operation (e.g., school work days or fund-raising activities) of the school as appropriate for middle school students.
- Understand and follow the student code of conduct including the student honor code.
- Support the educational philosophy, ideals, principles, and practices of the school as set forth in the school's Charter.
- Display a sense of pride and ownership in the success of the school.

B. Rights and Responsibilities of Parents

- Participate in their children's learning on a day-to-day basis.
- Promote the positive character development of their children.
- Ensure that their children complete homework assignments and participate in school activities.
- Act as their children's advocate in seeking their children's fullest educational development as individuals.
- Contribute time and/or money to school activities and programs.
- Participate in the school's governance, its operations, and the design and implementation of its educational program.
- Support the educational philosophy, ideals, principles, and practices of the school as set forth in the school's Charter.
- Display a sense of pride and ownership in the success of the school.

C. Rights and Responsibilities of Educators

- Create an exciting, stimulating, and challenging learning environment for each child using a wide variety of learning experiences and teaching methods.
- Teach the adopted curriculum with appropriate consideration for the learning abilities and accomplishments of each student.
- Evaluate student success in meeting measurable student outcomes by using approved performance-based accountability systems.
- Address the learning potentials of all students as individuals who may range in ability from those who are low achieving to those who are highly gifted.
- Communicate with parents about the achievements of their children as well as provide advice about how their children may become more successful.

- Participate in professional enrichment, training, and collaboration to improve their own abilities as well as the school's capacity for providing a quality education to all students.
- Encourage and contribute to volunteerism by parents and community members who wish to contribute to the school.
- Participate in the school's governance, its operations, and the design and implementation of its educational program.
- Support the educational philosophy, ideals, principles, and practices of the school as set forth in the school's Charter.
- Display a sense of pride and ownership in the success of the school.

XV. Special Education

A. Legal Status of New West for Special Education Purposes

New West shall investigate, with the advice and assistance of the SBE, the various alternative arrangements that may be allowed by law for the funding and delivery of special education services in the best interest of the school and its students [e.g., Educational Code 47640 et seq.]. New West anticipates meeting its special education needs as a Local Educational Agency (LEA) participating in one of the Special Education Local Plan Areas that operate near the school (hereafter referred to simply as New West's SELPA). New West shall provide the SBE with written verification of membership in a SELPA not later than May 15, 2002 (see *General Provisions of the Charter. Section III. Conditions of Approval*).

New West shall prepare an application for LEA status with the Southwest SELPA, the Tri-Cities SELPA, the LAUSD SELPA, and/or another SELPA within Los Angeles County. Based on preliminary discussions with the LAUSD, it may be possible for New West to participate in the LAUSD SELPA by special arrangement to be negotiated as a regular school responsible for funding and delivering its own special education services. New West will contract with Total Education Solutions (TES) of Pasadena, California, or a similar agency with expertise in special education matters, as consultants to develop New West's application and negotiate with SELPA's for membership. New West shall keep the SBE informed on a regular basis in writing about its efforts to join a SELPA. New West shall provide the SBE with full written documentation about arrangements it may make to fulfill its special education responsibilities, including changes or revisions that may be made in the future. The SBE shall have the right to deny, restrict, or require changes in New West's participation in special education arrangements that do not comply with state and federal special education laws and regulations applicable to charter schools. New West shall not commence educational operations unless the school has made arrangements and presented plans for special education funding and services that meets the approval of the SBE.

B. Special Education Policies, Procedures, and Practices

New West shall follow the policies, practices, and procedures of the SELPA in which New West participates in all matters related to special education including participation in mediations. In doing so, New West shall comply with all state and federal law regarding its obligation to special education students. In particular, New West shall be assertive in ensuring that students with exceptional needs and their families are provided the full protection to which they are entitled as provided by provisions of the Individuals with Disabilities Education Act (20 U.S.C. Sec. 1400 et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Sec. 794), the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12101 et seq.), and federal regulations relating thereto. These protections include, but are not limited to, the following:

- Students with exceptional needs shall be identified, located, and appropriately evaluated in a nondiscriminatory manner.
- Students with exceptional needs have the right to a free and appropriate public education (FAPE) in the least restrictive environment pursuant to an individualized education program (IEP) developed by representatives of New West and its SELPA in partnership with the student's parents.
- Students with exceptional needs and their parents shall receive prior notification whenever New West or its SELPA intends or refuses to initiate the evaluation of the student.
- Whenever New West or its SELPA intends to change the educational placement of a student with exceptional needs, the student and the student's parents may review the contents of any records or other materials used to make educational decisions regarding the student.
- Students with exceptional needs have due process protections, including the protection of seeking redress in the courts.

New West and its SELPA shall work together to develop a school process that brings together the student, the student's parent, and school and special education personnel to address any problems that interfere with the student's success in school. New West's goal and values with respect to including special education as part of New West's educational program are discussed earlier (see *General Provisions of the Charter: Section XIII.A.14. Students with Disabilities*). With respect to disputes that may arise between parents and New West about the special education needs of a student, New West shall have processes for mediation and dispute resolution that are consistent with applicable laws and the practices of the school's SELPA. The special education components of New West's educational program shall address, but not be limited to, the key factors given in Table 3. New West shall follow the its SELPA's established, best-practice policies and procedures with regard to the school's compliance with the components and factors given in Table 3.

New West shall offer a special education program that provides a full continuum of services and program options to students with disabilities. Whenever appropriate, students with disabilities will be educated in the least restrictive environment provided by the general education classes at New West. As appropriate, a student's IEP may include one or more of the following levels of intervention (from least to most restrictive):

- General education classes with consultation in the form of guidance and support for the teacher, modification of the curriculum, teaching modalities, or the classroom environment, positive behavioral interventions, and other accommodations that can be accomplished by the regular teacher in the classroom to address the special needs of a student with a disability (e.g., preferential seating and group assignments, supplementary or alternative teaching aids or materials, alternative or modified assignments, more time to complete tasks, exemption from some activities, computer access, alternative ways of responding such as oral instead of written communication, change of teachers for particular subjects, and accommodations in testing).
- General education classes with designated instruction and services to assist a student with a disability function and succeed in the classroom (e.g., services to address language and speech development and remediation, hearing impairments, vision impairments, adapted physical education, physical and occupational therapy, and psychological disturbances).
- General education classes supplemented by a resource specialist program that provides additional instruction and services in and/or out of the classroom focused on a student's disability.

- General education and special day classes to meet the needs of a student whose disability does not allow participation in general education classes for the full school day.
- Special day classes that provide a specialized setting and instructional staff for the education of a student whose disability does not allow them to participate in general education classes.

If the disability of a student, by its nature or severity, precludes educational instruction on the New West campus, then New West shall participate in making special arrangements for that student's education. It may be necessary to arrange for and/or fund the disabled student to attend a special public or non-public school appropriate for the student's disability, or provide educational services in the home or hospital for a student whose medical or emotional condition prevents them from attending school.

New West shall also provide related services that are necessary to support and assist the student in benefiting from the IEP. Related services include audiology, psychological services, physical therapy, occupational therapy, medical services for diagnostic purposes, therapeutic recreation, social work services, speech and language services, parent counseling and training, and transportation. Related services also include assistive technologies in the form of equipment or products that increase, maintain, or improve the functional capabilities of students with disabilities (e.g., computers, magnifiers, and hearing and communication devices).

The instructional staff needed for New West's special education program will depend on the number of students with disabilities, the nature of the disabilities, and the kinds of services required to fulfill New West's obligation to provide a free and appropriate education in the least restrictive environment. Typically, for assessments and IEP services, New West expects to require the following special education professionals on a part-time or fulltime basis: one or more resource specialist educators, a psychologist, a behaviorist trained in behavior management, an audiologist, a physical therapist, an occupational therapist, a nurse, a social worker, and special education aides to assist in implementing the IEP's of some students with disabilities. The special education staff, who shall be required to have the appropriate, required certifications, licensure, and experience, may be New West employees, employees of the school's SELPA, consultants, independent contractors, and/or personnel provided through private agencies such as Total Education Services (Pasadena, California), which already provides special education services to many successful charter schools.

New West anticipates contracting with TES to provide a full-service special education program for eligible students enrolled at New West. TES services will include the following (see their letter of May 29, 2001, for more details):

- Compliance Review: develop plans and procedures for the collection, review, maintenance, and audit of records; monitor and schedule evaluations and reassessments; identify necessary special education services needed at New West.
- Evaluations/Assessment: arrange for licensed/credentialed personnel to conduct initial evaluations and reassessments to determine student's level of functioning for development or reevaluation of the student's IEP.
- IEP Development: provide administrative services to develop IEP's for eligible students, attend IEP meetings, and write IEP progress and annual reports.
- Special Education Services: provide a full continuum of required special education services to eligible students, including: review of IEP plans and student records; testing to establish baseline and progress data; establishment of individual goals and objectives; qualified, experienced personnel as required to provide individual, small group, and integrated (full-inclusion) services; and consultation with parents, teachers, and administrators.

New West will work with TES to integrate staffing, service delivery, inclusion practices, and other aspects of the special education program with the philosophical orientation and mission of the school.

The Special Education Policy Committee of the Governance Council shall have oversight responsibility for overall programmatic monitoring of the school's policies and procedures related to the funding and delivery of special education services at New West. A student's IEP team shall have full responsibility for determining the specific educational plan best suited to the needs of that student. The Student Success Committee shall be available when there are concerns about the needs of an individual student, including mediation of disputes related to the identification, evaluation, or educational placement of a student with a disability. The school's discipline policy shall provide accommodations for students with identified disabilities, including the development of a behavior support plan and review of the student's IEP (see *General Provisions of the Charter. Section XIII.J. Discipline Policy including Suspension or Expulsion of Students*). The school's dispute resolution process for grievances involving students with special needs shall be adapted to conform to the laws and regulations applicable to special education and the practices of the SELPA.

Table 3. Components to Be Used in Formulating New West's Special Education Program.

Component	Key Factors
<p>SEARCH AND SERVE ACTIVITIES</p> <p>Examples are:</p> <ul style="list-style-type: none"> • Pre-referral intervention plan. • Student Success Committee. • Identification of new students with pre-existing or active IEPs. 	<ul style="list-style-type: none"> • Procedures for searching for each child with a disability in need of special education. • Methods for communicating to parents that special education and related services are provided at no cost to them. • A team comprised of the student, the student's parents, and school personnel (i.e., the IEP Team) is responsible for identifying the student's needs and developing the plan that enables the student to be successful.
<p>REFERRAL PROCESS</p> <p>Examples are:</p> <ul style="list-style-type: none"> • How students will be referred for an individualized assessment. • Explanation of the Assessment Plan. 	<ul style="list-style-type: none"> • The referral process is a formal, ongoing review of information related to students who are suspected of having disabilities and who show potential signs of needing special education and related services. • The referral for assessment process includes looking at student screening information and making a decision about whether or not to conduct a formal educational assessment. • The parents of a student may make a referral for an evaluation and must receive a response from the school within 15 days. • The assessment plan describes the types

Component	Key Factors
	and purposes of the assessments that may be used to determine eligibility for special education and related services.
<p>ASSESSMENT PROCESS</p> <p>Examples are:</p> <ul style="list-style-type: none"> • Methods for generating and gathering assessment data. • Processing the assessment data for the IEP. 	<ul style="list-style-type: none"> • Assessment involves gathering information to determine the student's disability, eligibility for services, and the nature and extent of the required services. • Assessments may include individual testing, observations, interviews, and review of school records, reports, and work samples. • Assessment guidelines include parental consent, evaluation in all areas related to the suspected disability, multiple assessments without cultural, racial, or gender bias, and a multidisciplinary Guidance Team that includes a teacher knowledgeable in the disability.
<p>INDIVIDUALIZED EDUCATION PROGRAM (IEP) PROCESS</p> <p>Examples are:</p> <ul style="list-style-type: none"> • Conduct of the IEP meeting. • Composition of the IEP Team. 	<ul style="list-style-type: none"> • Every student who is assessed must have an IEP to discuss assessment results, determine eligibility, and, if eligible, specify the nature and extent of required special education and related services. • Students should attend the school they would attend if they were not in special education, unless the IEP waives this requirement for stated reasons. • Membership on the IEP Team shall include the student's parents, the school administrator, the current teacher, and other invited persons such as those who assessed the student • A SELPA special education representative will be invited to all IEP meetings held at the school, including any meeting at which a student with disabilities is being considered for special education services at another public school location or for non-public school placement.
<p>DUE PROCESS AND PROCEDURAL SAFEGUARDS</p>	<ul style="list-style-type: none"> • Parent must be informed of their due process rights to protect the rights to which they are

Component	Key Factors
<p>Examples are:</p> <ul style="list-style-type: none"> • Process for informally resolving parental concerns. • Procedure for parents to file for a due process hearing. • Procedure for parents to file a complaint with the SELPA or CDE. 	<p>entitled under federal, state, and judicial mandates regarding special education.</p> <ul style="list-style-type: none"> • Parents must give consent for an initial evaluation and initial placement, must be notified of any change in placement before it occurs, and must be invited with other members of the IEP Team to conferences and meetings to develop the student's IEP. • Parents have the right to initiate a due process hearing to challenge a decision regarding the identification, evaluation, or educational placement of their child.
<p>SPECIAL EDUCATION INSTRUCTIONAL STRATEGIES PROGRAM STRATEGIES</p> <p>Examples are:</p> <ul style="list-style-type: none"> • Provisions for the "least restrictive environment." • Program options. • Transportation. • Teacher training. • Student outcomes. 	<ul style="list-style-type: none"> • A student with an IEP has the right to be educated with non-disabled peers to the maximum extent appropriate. • Because each student may require a different program or combination of programs, the IEP should be built around the student's specific needs. • The continuum of program options, which shall be considered from least to most restrictive: general classes to RSP/SDC/special schools/centers to non-public/home to hospital/state/residential. • There must be qualified personnel to deliver the services prescribed by the IEP and a structure for personnel planning to focus on in-service to meet the needs of students with disabilities. • Transportation may be required for some students between home and instructional facilities for regular and special education programs and activities.

C. Special Education Funding

In administering the local operation of its special education plan, New West shall receive an equitable share of special education funding and services consisting of either, or both, of the following:

- State and federal funding provided to support special education instruction or designated instruction and services, or both, provided or procured by the school for its students [Education Code 47646(b)(1)].

- Any necessary special education services, including administrative and support services and itinerant services, that is provided by the SELPA on behalf of students with disabilities enrolled in New West [Education Code 47646(b)(2)].

New West is responsible for contributing to its SELPA an equitable share of its charter school block grant funding to support the SELPA's special education instruction and services, including, but not limited to, special education instruction and services for pupils with disabilities enrolled in New West [Education Code 47646(c)]. New West anticipates that it may be interested in the possibility of providing some or all of its own special education services in which case special cost sharing arrangements would have to be made with the school's SELPA. New West anticipates negotiating each year with its SELPA a "Special Education Memorandum of Understanding" that defines the role of both New West and its SELPA regarding fiscal accountability, participation of the school in the SELPA's special education programs, and provision of special education services to the school.

D. Compliance with the *Chanda Smith* Consent Decree

The LAUSD and its SELPA are subject to the terms and conditions of the *Chanda Smith* Consent Decree regarding special education. If the school is physically located within the boundaries of the LAUSD, then New West shall comply with the Chanda Smith Consent Decree if and to the extent that the decree is determined by the court or other competent authority to be applicable to New West (see *General Provisions of the Charter, Section III. Conditions of Approval*). New West shall comply with all state and federal laws, rules, and regulations regarding its obligations to special education students. To the degree that a court, or a federal or state agency, finds New West out of compliance with the *Chanda Smith* Consent Decree because of its actions, the school is solely responsible for all costs, fees (including attorney's fees), or other remedies associated therewith.

XVI. School Inquiries and Inspection

New West, as a public institution, shall accommodate reasonable requests for information about its operation as required by applicable state laws. New West shall follow all applicable laws regarding the confidentiality of the records of individual students, parents, and employees. Visits to the school site by members of the public shall require prior approval by the Director/Principal of New West, who shall consider the health and safety of students and employees as well as disruption to the school's educational program before granting access.

New West shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from the SBE or from the Superintendent of Public Instruction [Education Code 47604.3]. The SBE may inspect or observe at any time any part of the school including its facilities, records, teaching programs, extracurricular activities, or any other part of its operation [Education Code 47607(a)].

XVII. Open Meetings, Public Records, and Confidentiality

New West shall abide by all laws that govern public agencies generally with regard to open meetings and public records (e.g., the Public Records Act [Government Code Section 6250 et seq.] and the Ralph M. Brown Act [Government Code Section 54950 et seq.]).

New West shall respect the privacy of its students and employees by maintaining policies on confidentiality of private information that the school is legally entrusted to hold (e.g., Family Educational Records and Privacy Act). Specifically, the Director/Principal shall be responsible for a records management policy that covers the creation, maintenance, and destruction of student and employee records as required by law. Access to and disclosure of private information shall be limited to those persons who have a legal right to inspect and review documents (e.g., parents may

inspect their own children's school files, or employees may inspect their own personnel files) or to those who need access to documents in the course of the school's normal operation (e.g., Director/Principal or Governance Council). Basic information about students that usually appear in class rosters (e.g., names, ages, grade levels, addresses, and phone numbers) may be shared within the school's community of staff, parents, and students for internal school purposes but will not be distributed to any outside person or organization. Complaints about the contents of student or employee records, the accuracy of information, or violations of privacy shall be handled through the school's internal dispute resolution process.

XVIII. Conflict of Interest Policy

New West shall have a written policy to limit actual or potential conflicts of interest that may arise in operating the school when the personal or professional interests of a stakeholder affect her/his ability to put the welfare of the school before personal benefit. The conflict of interest policies shall apply to Governance Council representatives, Executive Committee members, committee members, administrators, teachers, staff, parents, community members, and any other person or party who participates in the school's operation and educational program, all of whom will be asked to agree in writing to uphold the policy. New West anticipates modeling its conflict of interest policy on the advice and examples provided in Frank Martinelli's *Creating an Effective Charter School Governing Board* (Charter Friends National Network, 2000). The four essential elements of the conflict of interest policy shall be:

- **Full Disclosure.** Stakeholders shall make known any potential or actual conflict of interest.
- **Abstention from Discussion and Decision Making.** Stakeholders who have an actual or potential conflict of interest shall not participate in discussions or votes on matters related in any way to the area of conflict.
- **Abstention from Decision-Making.** Stakeholders who have an actual or potential conflict of interest shall not be substantively involved in decision-making on matters related in any way to the area of conflict.
- **Violation of Policy.** Violations of the conflict of interest policy can be reported by anyone and shall be referred to the school's dispute resolution procedures.

XIX. Exemption from Laws Governing School Districts

New West shall comply with all terms set forth in its Charter, with the provisions of the Charter Schools Act, and with other laws that may be applicable to charter schools. Otherwise, New West is exempt from laws governing school districts [Education Code 47610].

XX. Impact Statement

Appendix VII provides the operations and impact statement required by law [Education Code 47605(g)]. This statement provides information regarding the proposed operation and potential effects of New West Charter School, including the facilities to be utilized by the school (see *Description of the School. Section II. Facilities* and Appendix IV), the manner in which administrative services of the school are to be provided (see *Provisions Relating to Charter School Funding: Section VII. Business Management*), and potential civil liability effects (see *Provisions Relating to Charter School Funding: Section VIII. Liability*), if any, upon the school and upon the SBE.

PROVISIONS RELATED TO CHARTER SCHOOL FUNDING

I. Charter School Funding

New West is entitled by law to full and fair funding as provided in the Charter Schools Act [Education Code 47615(a)(3)] and that this entitlement, by law, shall be liberally construed [Education Code 47615(b)]. Furthermore, it is the intent of the California Legislature that New West shall be provided with operational funding that is equal to the total funding that would be available to a similar school district serving a similar pupil population in terms of numbers of students by grade level and proportion of economically disadvantaged pupils [Education Code 47630(a) & 47632]. The SBE shall not be responsible for providing “up front money” of any kind to fund New West’s planning and implementation costs associated with starting the school. The SBE shall not be responsible for providing supplemental operational funding to New West beyond that which the school is entitled to by law. Adult school and children’s center funding shall not be available to New West unless the school submits appropriate revisions to its Charter.

New West shall be “funded directly,” which means that the school shall receive all funding that the school is eligible to receive directly through appropriate funds or accounts established in the county treasury by the Superintendent of Schools of Los Angeles County [Education Code 47651(a)(1)]. Direct funding shall apply to all funding New West is eligible to receive including, but not limited to, the school’s general-purpose entitlements, its categorical block grant, other state and federal categorical aid, and lottery funds [Education Code 47651(b)]. New West understands that operational funding will be limited until the school enrolls students and commences instructional operations. At that time, in its first year of operation, New West shall be eligible to receive funding for the advance apportionments based on an estimate of average daily attendance as allowed by law [Education Code 47652].

New West shall have the right to use its general-purpose entitlement and its categorical block grant for any public school purpose determined by the Governance Council [Education Code 47633(c) & 47634(i)]. The Governance Council shall determine the use of all other funding received by New West in accordance with the specific conditions, requirements, and limitations, if any, which may be placed on the use of funds received from different sources.

II. Grants, Loans, and Indebtedness

New West, through its nonprofit public benefit corporation, shall have the right to apply for grants from foundations, corporations, and local, state, and federal agencies. With respect to applications for state and federal categorical programs (e.g., programs funded through the federal government’s Improving America’s Schools Act), New West shall be deemed a school district for the purposes of determining eligibility unless otherwise provided by the Charter Schools Act [Education Code 47636(a)(1)]. New West shall be solely responsible for completing its own applications and meeting all requirements of the funding agency related to programmatic and fiscal eligibility, accounting, and reporting.

New West, through its nonprofit public benefit corporation, shall have the right to incur financial obligations in the form of loans, bonds, letters of credit, long-term debt, and rentals, leases, or acquisitions of real estate. New West shall provide the SBE with full financial documentation regarding any such financial transactions in a timely fashion that allows the SBE to evaluate the agreements prior to their execution. The SBE shall not be liable for the debts or obligations of New West because the school has elected to operate as nonprofit public benefit corporation [Education Code 47604(c) and 41365(f)(2)] (see *General Provisions of the Charter. Section VIII. Legal Status of the School*). New West shall include in all financial documents a prominent statement that the school’s nonprofit public benefit corporation shall be solely responsible for any liability that may arise from the school’s financial transactions.

New West received from the State Treasurer a loan from the Charter School Revolving Loan Fund [Education Code 41365]. As a start-up charter school operated by a nonprofit public benefit corporation, the loan is directly to New West [Education Code 41365(b) and 41365(f)(1)]. New West shall use the loan only for startup costs to meet the purposes of the Charter as granted by the SBE

[Education Code 41365(b)]. New West shall repay principal and interest on the loan in amounts specified by the Charter Schools Act [41365(e) and 41366.5] and as agreed upon with the CDE. In the case of default on the loan, New West shall be solely liable for repayment of the loan [Education Code 41365(f)(2)].

New West anticipates using a line of credit from an appropriate financial institution to provide working capital to open the school under the Core Curriculum Budget of the Business Plan (see Appendix VIII). New West shall provide the SBE with a copy of any letter of credit that it obtains for use in financing the operation or educational program of the school.

III. Compliance with the *Rodriguez* Consent Decree

The LAUSD is subject to the terms and conditions of the *Rodriguez* Consent Decree regarding the equitable distribution of resources if the school is physically located within the boundaries of the LAUSD to the extent that the decree is determined by the court or other competent authority to be applicable to New West (see *General Provisions of the Charter. Section III. Conditions of Approval*). To the degree that a court, or a federal or state agency, finds New West out of compliance with the *Rodriguez* Consent Decree because of its actions, the school is solely responsible for all costs, fees (including attorney's fees), or other remedies associated therewith.

IV. Funding by Other Persons or Organizations

New West, as a charter school, has the right by law to accept grants, funding, or other assistance from private persons and organizations to operate the school [Education Code 47603]. Furthermore, as a Nonprofit Public Benefit Corporation, New West has the right to both solicit and administer funds in any way that is compatible with applicable laws governing such institutions. The parents, teachers, and administrators of New West shall be proactive in seeking such assistance to advance the educational goals of the school. New West will encourage parent contributions to help fund the school's educational programs but shall not require any monetary contribution as a condition for application, admission, enrollment, or participation in any of the school's regular educational activities. New West shall have sole discretion with respect to the use of funds or other assistance made available to the school by private persons or organizations.

V. Financial Projections

The Business Plan for New West, which was included with the original charter petition as Appendix VIII, provided a preliminary financial prospectus that included a financial summary, a 5-year budget summary, a proposed first-year operational budget (including startup costs), a 5-year budget projection, and a 3-year cash flow [Education Code 47605(g)]. A similar plan shall be submitted to the SBE for the proposed high school.

Additionally, on a continuing basis, New West shall provide the SBE with a preliminary budget for the forthcoming year and interim biannual financial projections that certify the school is able to meet its financial obligations for the remainder of the fiscal year and for the subsequent two fiscal years. New West shall have the right to change its business plan at any time as needed to reflect the school's circumstances with regard to its operational budgets and financial projections. Changes to the Business Plan shall not be considered a material revision of the provisions of the charter petition that requires approval by the SBE.

VI. Oversight Costs

The SBE may charge for the costs of supervisory oversight of New West not to exceed 1 percent of the school's revenue [Education Code 47613(a)].

VII. Business Management

New West has the right to provide its own, to contract for, or to otherwise arrange administrative services, including but not limited to accounting, budgeting, payroll, purchasing, grants and donations, inventory, employee benefits, and personnel [Education Code 47613(d)]. New West anticipates hiring a Fiscal Manager/Assistant Director who shall be responsible for the school's financial operation including budgeting, accounting, and accounts payable. New West shall be responsible for the school's personnel services and payroll processing. New West will be responsible for arranging for such services as fingerprinting and criminal record processing, PERS/STRS processing if employees elect to participate in those systems, and standardized test processing. New West shall have reasonable plans and systems to manage its business affairs efficiently and effectively including reasonable internal controls to ensure sound financial practices and clear delineations of responsibility.

VIII. Liability

The SBE shall not be liable for the debts or obligations of New West Charter School [Education Code 47604(c)]. New West shall hold harmless and indemnify the SBE, including its officers and employees, from every liability, claim, or demand that may be made by reason of:

- Any injury to person or property sustained by the school's officers or employees or by any person, firm, or corporation employed directly or indirectly by the school in connection with the school's function as a charter school.
- Any injury to person or property sustained by any person, firm, or corporation caused by any act, neglect, default, or omission of the school, its officers, employees, or agents.
- The furnishing or use of any copyrighted or uncopyrighted composition, or patented or unpatented invention.

IX. Insurance

New West shall be responsible for arranging and paying for its own insurance coverage. New West shall submit documentation of adequate insurance coverage to the SBE not later than September 1 of each year, including liability insurance, which shall be based on the type and amount of insurance coverage maintained in similar settings (see *General Provisions of the Charter, Section III. Conditions of Approval*). New West shall maintain minimum combined single limit coverage of \$5 million for general, auto, director's and officer's liability, and employment practices liability. The SBE shall be named as an additional insured or an additional covered party on all insurance policies. New West shall secure and maintain the following forms of insurance at its own expense:

- Property insurance to cover at least 80% of property value at replacement costs for losses sustained by any real or personal property of the school from theft, fire, and other causes usually covered by property insurance (property coverage).
- Comprehensive bodily injury, property damage, and general liability insurance to protect the school's assets in the event that it is sued or found liable for some debt, wrong, or injury to persons or property (general liability coverage including options for employees and volunteers as additional insured, sexual abuse coverage, educator's professional liability, corporal punishment, employee benefits liability, automobile liability, student accident coverage, and general liability broadening endorsement).
- Staff and directors errors and omissions insurance to cover these persons from personal liability arising from their work at or involvement in the school, its operation, and its educational program (directors and officers liability coverage).

- Fidelity bond insurance, with minimum coverage of \$50,000 per occurrence, to cover school employees and parent volunteers who are responsible for school funds, equipment, supplies, and other assets (crime coverage).
- Workers compensation and unemployment insurance as required by state and federal laws.

These insurance policies shall not be suspended, canceled, reduced in coverage or limits, or non-renewed except after thirty days prior written notice by FAX or certified mail to the SBE. New West shall irrevocably instruct its insurance carriers to notify the SBE directly and immediately should there be any cancellation or change in coverage.

X. Legal Services

New West shall be responsible for retaining and funding legal services as may be required from time to time in the operation of the school. In general, when needed, New West will seek legal counsel familiar with charter schools, charter school laws, and public education. All decisions with regard to legal services and legal proceedings shall be the sole responsibility of New West's Governance Council. New West shall provide the SBE with copies of the complaints or other legal documents whenever the school becomes involved in a lawsuit or other legal proceedings as either plaintiff or defendant.

XI. Closure of the School

If New West ceases operation for any reason, including but not limited to failure to renew the Charter, dissolution of the Charter, or revocation of the Charter, then the SBE shall have the right to close the school, to assume management of the school, or to take other actions the SBE may deem appropriate for the circumstances. Any unencumbered funds provided to New West from public agencies shall revert to the SBE upon the school's closure. Any other assets of the school shall remain the property of the corporation to be disposed of as allowed by Corporate Bylaws of New West Charter School. If New West initiates plans to close the school, then New West shall immediately notify students, parents, the CDE, the SBE, and the Los Angeles County Office of Education of its intentions. New West shall establish a process for the transfer of student information and records to the students' districts of enrollment eligibility or other schools to which students will transfer. The SBE shall not be liable for the debts or obligations of the school if it closes [Education Code 47604(c)].

PROVISIONS RELATED TO CHANGING THE CHARTER

I. Amendments and Revisions to the Charter

New West may make other material revisions to the Charter at any time but only with the approval of the SBE [Education Code 47607(a)(1)]. Petitions to the SBE for material revisions to the Charter shall be governed by the standards and criteria specified in Section 47605 of the Charter Schools Act [Education Code 47607(a)(2)].

II. Renewal of the Charter

The Charter of New West Charter School shall expire on June 30, 2006. The Charter granted by the SBE may be granted one or more subsequent five-year renewals by the SBE upon petition by the school [Education Code 47607(a)(1)]. Renewal of the Charter shall be governed by the standards and criteria in Section 47605 of the Charter Schools Act [Education Code 47607(a)(2)] or other charter school laws in effect at the time of renewal. New West shall plan to submit to the SBE its petition for renewal of the Charter at least four months prior to the end of the Charter on June 30,

2006. New West shall have the right to request from the SBE a renewal of the Charter at any time prior to its expiration.

III. Dissolution of the Charter

New West may elect to relinquish its Charter at any time before the end of its term in 2006, provided that dissolution of the Charter does not cause closure of the school in the middle of a school year. Dissolution of the Charter shall require all of the following affirmations taken in the order given:

- A two-thirds majority vote (>66.7%) by written ballot of all voting members of the Governance Council.
- A simple majority vote (>50%) by written ballot of all full-time credentialed teachers.
- A simple majority vote (>50%) by written ballot of all parents who respond to a school-wide referendum on charter dissolution.
- Approval by the SBE.

New West shall notify the SBE of any proposal to relinquish the Charter. The SBE shall have the right to take actions as may be appropriate if the Charter is relinquished (see *Provisions Related to Charter Funding. Section XIII. Closure of the School*).

IV. Revocation of the Charter

The State Board of Education, based upon the recommendation of the Superintendent of Public Instruction, may take appropriate action, including, but not limited to revocation of the Charter, when the State Board of Education finds any of the following [Education Code 47604.5]:

- Gross financial mismanagement that jeopardizes the financial stability of New West.
- Illegal or substantially improper use of school funds for the personal benefit of any officer, director, or fiduciary of New West Charter School.
- Substantial or sustained departure from measurably successful practices such that continued departure would jeopardize the education development of the school's students.

The SBE, as the charter-granting entity, may revoke New West's Charter if it is found that the school did any of the following [Education Code 47607(b)]:

- Committed a material violation of any of the conditions, standards, or procedures set forth in the school's Charter.
- Failed to meet or pursue any of the pupil outcomes identified in the school's Charter.
- Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- Violated any provision of law.

Prior to revocation, the SBE shall notify New West of any violation that might lead to charter revocation. The SBE shall give New West a reasonable opportunity to cure the violation, unless the SBE determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the school's students [Education Code 47607(c)].

V. Severability

The terms of the Charter are severable. In the event that any of the charter provisions are determined to be unenforceable or invalid for any reason, the remainder of the Charter shall remain in effect, unless mutually agreed otherwise by the SBE and the Governance Council of New West. The SBE and New West agree to meet to discuss and resolve any issues or differences relating to invalidated provisions in a timely, good faith fashion.